

Mr. HOEVEN. Mr. Speaker, this bill was reported out of the committee unanimously.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 124(a) (2) of the Agricultural Act of 1961 is amended by changing the proviso to read as follows: "Provided, That the Secretary may permit such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, other annual field crops for which price support is not made available, and flax, when such crops are not in surplus supply and will not be in surplus supply if permitted to be grown on the diverted acreage, subject to the provisions of subsection (b) (4) of this section."

Sec. 2. Section 124(b) (1) of the Agricultural Act of 1961 is amended by striking out "or sesame," and inserting: "sesame, other annual field crops for which price support is not made available, or flax, payment for which shall be computed in accordance with subsection (b) (4) of this section."

Sec. 3. Section 124(b) of the Agricultural Act of 1961 is amended by adding the following new subsection:

"(4) Payment with respect to diverted acreage devoted to castor beans, guar, safflower, sunflower, sesame, other annual field crops for which price support is not made available, or flax, in accordance with the proviso of subsection (a) (2) of this section, shall be at a rate determined by the Secretary to be fair and reasonable taking into consideration the use of such acreage for the production of such crops: *Provided*, That in no event shall the payment exceed one-half the rate which would otherwise be applicable if such acreage were devoted to conservation uses and no price support shall be made available for the production of any such crop on such diverted acreage."

Sec. 4. Section 16(d) (1) of the Soil Conservation and Domestic Allotment Act, as amended, is further amended by changing the proviso in the first sentence to read as follows: "Provided, That the Secretary may permit such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, other annual field crops for which price support is not made available, and flax, when such crops are not in surplus supply and will not be in surplus supply if permitted to be grown on the diverted acreage, subject to the condition that payment with respect to diverted acreage devoted to any such crop shall be at a rate determined by the Secretary to be fair and reasonable, taking into consideration the use of such acreage for the production of such crops, but in no event shall the payment exceed one-half the rate which would otherwise be applicable if such acreage were devoted to conservation uses and no price support shall be made available for the production of any such crop on such diverted acreage."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the bill on the Private Calendar.

LAND CONVEYANCE, FLORIDA

The Clerk called the bill (H.R. 5456) to provide for the conveyance of certain real property of the United States to the former owners thereof.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture shall convey, without consideration therefor, to Mayo Drake, Herman L. Drake, John Cecil Drake, Ruby M. Drake, Clara O. Drake, and Lilla H. Drake, as tenants in common, all right, title, and interest of the United States in and to the real property described as the northwest quarter southwest quarter, section 12, township 2 south, range 5 west, Leon County, Florida, containing 35 acres more or less, which real property was acquired by the United States under the final judgment entered October 29, 1941, by the United States District Court for the Northern District of Florida in the condemnation proceedings entitled United States of America against 24,814.602 acres, more or less, of land, T.C. Numbered 41.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Private Calendar.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight to file a report on the so-called Satellite Communications Act.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

CORRECTION OF RECORD

Mr. ALGER. Mr. Speaker, I ask unanimous consent to correct the Record of April 30, 1962. On page 6746 in my speech there is the figure "37.8 million". Mistakenly a dollar sign was placed before this figure. It was intended to be a numerical figure and not a monetary one. I ask unanimous consent that the permanent Record may be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, on April 18, page 6377, I offered an amendment to the Defense Department appropriation bill. The amendment was to increase the bill from \$1,317 million to \$1,318 million. It was erroneously increased to \$3,318 million. I ask unanimous consent that the permanent Record may be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE HONORABLE CARL VINSON

(Mr. LANDRUM asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. LANDRUM. Mr. Speaker, last week down in Georgia the district Democratic executive committees of the various congressional districts met for the purpose of adopting rules and regulations under which the congressional primaries are to be run this year. The chairman of the Sixth District Democratic Executive Committee at this meeting made some statements with regard to one of our dear and distinguished colleagues that I feel are appropriate for the membership to hear, and I would like to read the brief statement and resolution that Mr. Charles J. Bloch, a distinguished attorney and very great American had to say about our dear and distinguished friend, the gentleman from Georgia, Mr. CARL VINSON. He said:

This is a unique occasion, one without precedent, I believe, in the history of the United States of America. We are gathered to adopt rules for the Congressional Primary, Sixth Congressional District of Georgia. In that primary, the nominee of the Democratic Party of Georgia to be Representative of this District will be chosen.

Since November 3, 1914, the Honorable CARL VINSON has been a Representative in Congress from Georgia.

On November 3, 1914, almost 50 years ago, Mr. VINSON was elected to the 63d Congress to fill an unexpired term. Biennially since then he has been reelected, so that now, serving in the second session of the 87th Congress, he has been serving 25 consecutive terms—longer we believe than any living citizen ever before served consecutively in the House of Representatives of the United States.

What a period of time that is:

When the present Speaker of the House came there, Mr. VINSON had been there 14 years. When the minority leader, Mr. HALLECK, came there, Mr. VINSON had been there 21 years. When our friend, Judge HOWARD W. SMITH, chairman of the Rules Committee, came, Mr. VINSON had been there 17 years. When the President of the United States was born, Mr. VINSON had been in Congress almost 3 years; when the President was elected to the House from the 11th Congressional District of Massachusetts in 1946, Mr. VINSON had been there 32 years.

That term of service has been along with eight Presidents: Presidents Wilson, Harding, Coolidge, Hoover, Franklin D. Roosevelt, Truman, Eisenhower and Kennedy.

For 16 of those years, Mr. VINSON was chairman of the old Naval Affairs Committee. Since the Armed Services Committee was formed as a combination of the Naval Affairs Committee and the Military Affairs Committee, he has been its chairman save one term when the opposing party controlled the Congress.

What changes have been his to view and supervise.

From machineguns to atom bomb.

From the days when the cruise of the *Oregon* was still being celebrated to this day when jet planes fill the air, and atomic submarines fill the sea.

Through World Wars I and II, through the Korean war, he has served and guided us.

That service, that guidance, has been without a blemish. That career has been one of unselfish, unsullied devotion to these United States of America. That career shines as an example of patriotism. In these days when there are those who scoff at the word "patriot," we are proud to hail Mr. VINSON as the superpatriot of this era.

It is fitting that as the preliminaries of this meeting have been concluded, we pause in gratitude and thanks and hope.

In gratitude to Almighty God for having given Mr. VINSON to us, and permitted him to serve in health and vigor these many, many years.

In thanks to Mr. VINSON for those sturdy traits of character which have made the phrase, "Chairman VINSON of Georgia" a shibboleth of honor, service, and tradition.

In hope that he will again become a candidate of the Democratic Party of Georgia for Representative of our district.

In hope, too, that when elected he will be spared by providence to serve his beloved country and us, his friends and neighbors, not only so as to complete 50 years of service, but for years and years to come.

I suggest to you, therefore, that a delegate move the adoption of what I have said to you as a resolution of this meeting—a resolution of thanks and hope—of gratitude—and of endorsement of Mr. VINSON's candidacy for nomination as your Representative from the Sixth Congressional District of Georgia.

I realize that this resolution is unusual in form, that my request may be unusual at this particular phase of the meeting; but this is an unusual occasion, and all of us should be proud to be participating in it.

Now, Mr. Speaker, so am I proud, as I know each Member of this House is proud, to adopt the words of the resolution so beautifully expressed by Mr. Charles Bloch in behalf of Mr. VINSON, and say to him we are glad we can serve with a man who commands such great admiration from his homefolks and other outstanding citizens.

NATURAL GAS FOR RESALE FOR INDUSTRIAL USE

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 607, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6949) to amend section 4(e) of the Natural Gas Act, to authorize a gas distributing company to complain about a rate schedule filed by a natural gas company and to give the Federal Power Commission authority to suspend changes in rate schedules covering sales for resale for industrial use only. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and pending that, myself such time as I may consume.

Mr. Speaker, so far as I know, there is no controversy over the adoption of this rule. The purpose of the bill, which

this resolution makes in order, is to fill a loophole in the Natural Gas Act and empower the Federal Power Commission to treat rate increases proposed by companies distributing power for industrial use only in exactly the same way that other rate increases are treated today. It would enable the Power Commission to suspend the rate increases becoming effective until such time as the Power Commission made a decision and would thus put industrial users on the same basis as private users.

I repeat, Mr. Speaker, I know of no controversy over this rule and reserve the balance of my time.

Mr. BROWN. Mr. Speaker, the gentleman from Missouri [Mr. BOLLING] my colleague on the Committee on Rules, has very ably and very well explained this rule and the bill which it makes in order for consideration under 1 hour of general debate.

The bill, H.R. 6949, as I recall, was reported unanimously by the very able House Committee on Interstate and Foreign Commerce. The rule was reported unanimously by the Committee on Rules. It is, as the gentleman from Missouri explained, simply a corrective measure to protect certain rights in connection with the sale and resale of natural gas.

Mr. Speaker, we have no requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ALL-CHANNEL TELEVISION RECEIVERS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 608 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8031) to amend the Communications Act of 1934 in order to give the Federal Communications Commission certain regulatory authority over television receiving apparatus. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN], and pending that, myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 8031, which is made in order by House Resolution 608, is to authorize the Federal Com-

munications Commission to require that all television receivers shipped in interstate commerce or imported into the United States be equipped at the time of manufacture to receive all television channels. The purpose of giving this authority to the Federal Communications Commission is to make useful both the VHF frequencies and the UHF frequencies.

I gathered there was some controversy about this bill in committee, but this represents a compromise that was finally agreed upon. There was little controversy before the Committee on Rules. I reserve the balance of my time.

Mr. BROWN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BROWN asked and was given permission to revise and extend his remarks.)

Mr. BROWN. Mr. Speaker, as the distinguished gentleman from Missouri [Mr. BOLLING] has explained, this resolution makes in order the consideration of H.R. 8031 under 2 hours of general debate.

Mr. Speaker, H.R. 8031 is a bill which would prohibit manufacturers to ship in interstate commerce, after a certain date, television receivers not equipped so as to receive all frequencies—the very high frequencies of which I think there are 13 channels, and a greater number of other channels to receive ultrahigh frequency telecasts.

Mr. Speaker, in my opinion this bill, over which there was some controversy in the Committee on Interstate and Foreign Commerce, and additional controversy in the Rules Committee, is stretching the Interstate Commerce clause of the Constitution once more a little too far. In other words, in recent years the Interstate Commerce clause of the Constitution has been used to permit the Federal Government to do about anything it might desire to do in connection with any matter, by limiting shipment in interstate commerce. Of course, under this act it would be legal to make the ordinary, old type television receiver, as we know it, able to cover the very high frequency telecasts—some 13 channels only—if one did not ship it out of the State. But if one did ship such a receiver out of the State, one would come under this law, and would be in violation of the law.

Mr. Speaker, in connection with this particular bill one must remember, that the ultrahigh frequency stations are very, very short in their telecast range—10 to 15 miles, usually—with most of them located in large cities only. The very high frequency stations, which relatively occupy only a few channels—and I do appreciate that there is a question as to how to distribute those channels properly—cover long ranges of territory, hundreds of miles.

Mr. Speaker, the enactment of this bill would simply mean that everyone in the rural areas, where ultrahigh frequency stations are not available, will be compelled, when they purchase a new television receiver, to pay anywhere from \$15 to as much as \$40 more for equipment equipped to receive ultrahigh frequency signals which they cannot re-

ceive because of the limitations of distance. In other words, the only television service they can receive, or would be able to receive, is that which they receive now from very high frequency station telecasts or channels. But they would be required to purchase this higher priced new equipment regardless.

While I personally understand the problems which confront the Interstate and Foreign Commerce Committee in connection with the distribution of the few very high frequency radio channels now available in order to cover the country, because I did serve on the Communications Subcommittee of that great committee for a good many years, I still feel that placing this new burden of extra cost on all of the people in the rural districts, who will be unable to receive ultrahigh frequency signals, by requiring they must purchase equipment they do not need, do not want, and cannot use, is indeed a questionable use of our legislative powers.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. BROWN. I yield to my colleague from Ohio.

Mr. AYRES. I shall ask the gentleman from Ohio, Is it not true that there is an expansion of programming in the UHF field that this will help?

Mr. BROWN. I will answer by saying I am advised 75 percent of the present ultrahigh frequency stations are not now moneymakers; but are having difficulties, and many of them are closing down.

Mr. AYRES. In my hometown of Akron, Ohio, we only have one channel and it is a UHF channel. We would be very happy to have a VHF there, but in the meantime it would be very nice if all of the people could receive the UHF.

Mr. BROWN. I have the highest respect and regard for Akron and Summit County, and the people of that area; but I am very sure their Representative in Congress, with his great ability and ingenuity can soon get them a very high frequency station, if he desires.

Mr. AYRES. I have been trying for a number of years.

Mr. BROWN. I know of no man in the Congress of the United States who has been more able or zealous in taking care of the needs of his community than the gentleman from Summit County, my colleague from Ohio [Mr. Ayres].

Mr. AYRES. Will the senior member of the Ohio delegation, the gentleman from Blanchester, offer his assistance in getting us a VHF station?

Mr. BROWN. The gentleman has always been of assistance to all of his colleagues, whenever possible, and especially to the gentleman from the 14th District of Ohio.

Mr. AYRES. I thank the gentleman.

Mr. BROWN. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATURAL GAS FOR RESALE FOR INDUSTRIAL USE

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6949) to amend section 4(e) of the Natural Gas Act, to authorize a gas distributing company to complain about a rate schedule filed by a natural gas company and to give the Federal Power Commission authority to suspend changes in rate schedules covering sales for resale for industrial use only.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6949, with Mr. BASS of Tennessee in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the Committee on Interstate and Foreign Commerce reported H.R. 6949, a bill which would amend section 4(e) of the Natural Gas Act, to authorize a gas distributing company to complain about a rate schedule filed by a natural gas company and to give the Federal Power Commission authority to suspend changes in rate schedules covering sales for resale for industrial use only.

Mr. Chairman, this is an amendment to the Natural Gas Act that every Member of this House can support. There is no controversy over this provision. It is an amendment to an act that it is thought desirable to bring in conformity the rate regulation and control by the Federal Power Commission of industrial sales for resale as with those of household and commercial sales.

When the Natural Gas Act of 1938 was passed it contained a provision authorizing the Federal Power Commission to postpone the effective date if rate increases while it held hearings to determine their lawfulness. If, at the end of the 5 months suspension period, the proceeding has not been concluded, the act further provided that with the natural gas company filing a bond, it could go ahead and collect the rate under bond until such time as the Federal Power Commission determined the rate that should be approved. If the Federal Power Commission determined that the rate for household, domestic uses, and commercial uses, was too high, a refund of the amounts collected would be made to the customers.

Let me say that at that time the natural gas industry had not developed extensively in this country and no one thought about the problem's developing insofar as industrial sales for resale by the natural gas company were concerned; therefore, the act in section 4(e) excluded this type of sale to be collected under a bond and refund if and when the Federal Power Commission decided the rate was too high. So consequently during these years, and when conditions have developed where substantial industrial sales at certain times of the

year were made, there were no provisions for those sales to be collected under bond and for repayment if they were found to be too high. Consequently, if and when the Commission after perhaps several months and maybe a year or two years, decided that the rate was too high and reduced it to whatever level the Commission determined to be in the public interest, there was no provision for the company then to refund to the users of natural gas for that purpose.

The purpose of this legislation is to bring into conformity the treatment of sales for resale for industrial use the same as sales for resale for household, domestic, and commercial uses. That is all it does.

The committee has considered this legislation and reported it unanimously. There is no issue about it. It has only one purpose. It is very clear and precise as to what it would do, and what is needed is very understandable.

It was in the overall natural gas bill that was reported by the committee in 1956, passed by the Congress, and vetoed by the President. This was one of the provisions of that bill. It was included without any controversy or any question at that time.

I might say that the companies themselves have recognized there was a problem. So on their own, and particularly in the Kansas City area which seems to be more pronounced than any other area in the United States so far as we are able to find out, they recognized there was an inequity and the companies, as I say, on their own have been willing to enter into voluntary agreements, and there are instances in which they have entered into voluntary agreements, and have agreed to refunds in a number of instances. So this is one of the things we feel the Congress should rightfully provide in order to have what we think would be better regulatory procedures.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I am glad to yield to the gentleman from West Virginia.

Mr. BAILEY. During the consideration of the last natural gas act that was passed, there was a bit of controversy over bulk sales of surplus gas. For instance, in my State of West Virginia, we have two large gas companies that buy gas from, let us say, the Texas Gas Transmission Co. That is Southwest gas coming into West Virginia. We have one bulk plant in the southern part of my district, a 17,000-horsepower plant that handles 335 million cubic feet of gas coming in from the Southwest, and we have difficulty there. I am speaking now for the coal industry particularly, and as I say we have had difficulty there with respect to those two companies that purchase from the transmission company the gas to guarantee that they can take care of their customers during the year. There is nobody, not even the Federal Power Commission that can regulate the weatherman.

Mr. HARRIS. Commerce, I would say, has jurisdiction over the weather.

Mr. BAILEY. Well, yes, at least they try to operate it. There is no way that they can judge the amount of gas they have to buy to take care of their own

customers. Quite often they have surplus gas and they have been disposing of that surplus gas in bulk sales to industrial customers along with transmission lines from the Southwest United States up to the State of West Virginia to take care of industrial plants that previously had been fueled with West Virginia coal or Tennessee coal or Kentucky coal or wherever it may have come from. Just what does this legislation do? Does it in any way affect that situation?

Mr. HARRIS. Not at all.

Mr. BAILEY. I wish the gentleman from Arkansas would explain.

Mr. HARRIS. As I just explained, I will say to the gentleman from West Virginia this is applicable only to industrial sales for resale. Let me explain. It means that the natural gas company, which is the pipeline company, will contract for the gas and transport it into a given area for sale to a distributing company. A certain amount of that gas is resold by the distributing company to household users. A certain amount of it goes to commercial users like retail establishments and pressing establishments and for purposes of that kind, for various types of commercial users. Then certain of these users are small industries within the area and in some rare exceptions they are rather large industries in the area where the fuel comes in in this way and the utility in the area sells the gas to this industry.

Mr. BAILEY. That is exactly what has happened in my State of West Virginia.

Mr. HARRIS. No, no, it is not. It is not, I will say to the gentleman because what the gentleman is talking about is not a resale situation. The gentleman is talking about direct sale from the pipeline company which is not regulated by the Federal Power Commission. The gentleman is talking about off-peak sales referred to by some as dumping gas. Now, that is not involved here at all. This has only to do with natural gas sales for resale.

Mr. BAILEY. The gentleman will understand why I do not want the Federal Power Commission to have control over that situation. I understand, however, the whole situation will be under consideration again in connection with a future bill.

Mr. HARRIS. Yes, I agree with the gentleman. It is long overdue, and one of these days the country is going to wake up to the present dilemma in the natural gas industry and it will be controlled. The Federal Power Commission will be given the authority it ought to have, and the American people will be served one of these days.

Mr. BAILEY. I want to thank the gentleman. I am sure he understands why I am concerned about this matter.

Mr. HARRIS. I understand the gentleman's concern, and I might say to him that this question of off-peak sales, sometimes referred to as dumping, during certain seasons of the year is a much larger problem than it seems. By the very nature of the natural gas industry that situation is important for various reasons. Some storage of natural gas

has been experienced in certain parts of the country. The gentleman has had some up in his area, and there is some around in the eastern and western and northern part. That has helped out. There has been greater efficiency experienced in the regular progressive development. The natural gas industry itself has taken care of the situation largely, and we do not have so much of a problem with off-peak sales as we did at one time.

Mr. BAILEY. Again I want to thank the gentleman.

Mr. HARRIS. In addition to the primary purpose of the bill; namely, the correction of this inequity as to sales for resale for industrial use and those for domestic use, the bill also would amend the first sentence of subsection (e) of section 4 of the Natural Gas Act to include among those who may file complaints with the Federal Power Commission concerning proposed rate increases, a gas distributing company. In practice, the Commission has acted on its own motion, to enter into a hearing as to the lawfulness of a rate where a distributing company has filed a complaint, although the wording of the present statute directs such hearing only upon complaint by "any State, municipality, or State commission, or upon its own initiative without complaint." The effect of this amendment is to write into the statute this practice. There is no objection to this proposal.

Mr. Chairman, this, we think, is desirable legislation. It is needed and it should be approved just as the committee has reported it. I urge the approval of the legislation.

(Mr. HARRIS asked and was given permission to revise and extend his remarks.)

Mr. SPRINGER. Mr. Chairman, when we had hearings on this bill there were no people who appeared objecting to the bill; there were no people appearing who wanted the bill amended. We did have a considerable number of witnesses for the bill, and it is my purpose here in these few minutes to explain why this bill is in the public interest. Because of a proviso in existing law which would be repealed by the enactment of this legislation, the Commission has no power to suspend rate increases for resale for industrial use, which may go into effect automatically after 30 days' statutory notice, nor has it the power to order refunds if later it concludes the proposed increased rates are unlawful and not in the public interest.

The repeal of the proviso, here proposed, would place all proposed rate changes covering sales of natural gas for resale in the same position. All would now be the same, applicable under the law. In those instances where the higher rates for resale for industrial use go into effect, the burden of the increase, pending ultimate Commission decision, must be absorbed by the distributing company or passed on to its domestic consumers. The bill will eliminate these inequities.

It should be clear that this legislation applies only to sales for resale for

industrial use; it does not apply to direct sales by pipelines for industrial use.

This bill is in the public interest and it is for that purpose that we are bringing the bill here at this time.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. ELLSWORTH. Mr. Chairman, representing as I do, the Kansas City industrial area and the Kaw Valley industrial area in eastern Kansas, and the Missouri area most vitally affected by this legislation, and without going into any of the technical details which have been so well and thoroughly explained by the chairman of the committee and the gentleman from Illinois, I would like to say that we are most grateful to the distinguished and able chairman of the committee, the gentleman from Arkansas [Mr. HARRIS], as well as to the leadership on the other side of the aisle for bringing this bill out to straighten out this unsatisfactory situation that has existed in the natural gas market.

As the chairman pointed out, the effect of this bill was first achieved in the natural gas bill that was passed several years ago. The overall bill was vetoed, although this part of it was not in controversy at that time, and never had been in controversy.

For several years the representatives of industrial users who are affected by this provision of the Gas Act have been coming to Congress testifying and asking for this relief. I was privileged to appear with them this year on their behalf and on behalf of the industrial users, as well as on behalf of the hundreds of thousands of working men and women who are employed in these industries in our area. This is a wonderful bill for our area, as well as for other areas of the country. It will contribute materially to job security in our area, and I want to express our tremendous appreciation to all members of the committee and to the very able and distinguished chairman of the committee, the gentleman from Arkansas.

Mr. SPRINGER. May I say to the gentleman we valued the advice and counsel which he gave to us in appearing for this bill. I think he has rendered to his area a very distinguished service.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Chairman, I take this opportunity to join my colleagues in support of this legislation and wish to compliment the leadership on both sides of the aisle for bringing this bill out to help correct a deficiency that has existed for some time. I am heartily in support of this legislation. It will benefit the people of my area, the State of Kansas, and many sections of the United States.

(Mr. BREEDING asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That (a) the first sentence of subsection (e) of section 4 of the Natural Gas Act, as amended (15 U.S.C. 717c(e)), is amended by changing the words "or State commission" to read "State commission, or gas distributing company".

(b) Such subsection (e) is further amended by striking out "Provided, That the Commission shall not have authority to suspend the rate, charge, classification, or service for the sale of natural gas for resale for industrial use only".

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Bass of Tennessee, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6949) to amend section 4(e) of the Natural Gas Act, to authorize a gas distributing company to complain about a rate schedule filed by a natural gas company and to give the Federal Power Commission authority to suspend changes in rate schedules covering sales for resale for industrial use only, pursuant to House Resolution 607, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1595) to amend the Natural Gas Act to give the Federal Power Commission authority to suspend changes in rate schedules covering sales for resale for industrial use only.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 4 of the Natural Gas Act (15 U.S.C. 717c(e)) is amended by striking out: "Provided, That the Commission shall not have authority to suspend the rate, charge, classification, or service for the sale of natural gas for resale for industrial use only;"

Mr. HARRIS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Strike out all after the enacting clause of S. 1595 and insert the provisions of H.R. 6949 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 6949) was laid on the table.

ALL-CHANNEL TELEVISION RECEIVERS

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration

of the bill (H.R. 8031) to amend the Communications Act of 1934 in order to give the Federal Communications Commission certain regulatory authority over television receiving apparatus.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8031, with Mr. Bass of Tennessee in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield myself 20 minutes.

CALL OF THE HOUSE

Mr. YOUNGER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Thirty-five Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 79]

Addonizio	Grant	Murray
Alexander	Gray	Norrell
Andrews	Halleck	O'Konski
Ashley	Halpern	Patman
Avery	Hansen	Pfost
Ayres	Hardy	Powell
Baring	Harrison, Va.	Rains
Barrett	Healey	Riehlman
Blitch	Hébert	Rivers, S.C.
Boland	Hechler	Roberts, Ala.
Boykin	Hoffman, Mich.	Rostenkowski
Brademas	Horan	Santangelo
Brooks	Huddleston	Saund
Broyhill	Jones, Ala.	Scott
Cahill	Kearns	Scranton
Carey	Kee	Selden
Casey	Kilburn	Shelley
Chelf	Kilgore	Shriver
Clark	Kitchin	Slack
Cooley	Kornegay	Smith, Calif.
Daddario	Loser	Smith, Miss.
Davis	McMillan	Spence
James C.	McVey	Staggers
Dooley	Magnuson	Steed
Dowdy	Mason	Stubblefield
Durno	Matthews	Teague, Calif.
Elliott	Marrow	Thompson, Tex.
Fasell	Miller	Tollefson
Feighan	George P.	Weaver
Flood	Miller, N.Y.	Whitten
Fogarty	Milliken	Wickersham
Frelinghuysen	Montoya	Willis
Gavin	Moulder	Yates

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Bass of Tennessee, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8031, and finding itself without a quorum, he had directed the roll to be called, when 337 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. HARRIS. Mr. Chairman, the legislation which the Committee on Interstate and Foreign Commerce is bringing before the House today is less than two pages long. The brevity of the bill is very deceptive, however, since it may induce the Members of the House to believe that the bill is a very simple one.

The bill's purpose is simple enough all right. It would authorize the Federal Communications Commission to require that all television receivers shipped in interstate commerce or imported into the United States be equipped at the time of

manufacture to receive all television channels—that is 70 UHF channels and 12 VHF channels. Section 2 of the bill would prohibit shipment or importation of receivers unless they comply with the Commission's rules prescribed pursuant to this new authority.

While the bill's purpose is simple and easily understandable, the legislation's background is very complex and its implications for the future of television in the United States are highly important.

I would like to take this time to explain in some detail the background and the importance of the bill. Before doing so, however, it will be necessary for me to explain the meaning of some technical terms which are absolutely necessary to an understanding of this legislation.

Your normal television set in your home will receive VHF television signals, that means very high-frequency television signals. The channels range from channels 2 to 13, inclusive. There are a few receiving sets in the United States that will receive UHF as well as VHF signals. UHF means ultrahigh frequency. Those channels range from 14 through 82, inclusive.

Over the years efforts have been made to utilize this great resource—the radio spectrum—but due to the fact that most of the receiving sets that you have in your homes receive VHF only, most of these 70 television channels throughout the Nation are going to waste. They are not now being utilized. Now, the reason why practically no one will apply for a license to operate a UHF station is because the receiving sets in the homes of the people will not receive it. And, anyone who tries to operate a radio station or a broadcasting station, when he knows that there is practically no one in that community to receive them, he should have his head examined.

The manufacturing industry over the years has been making VHF receiving sets and very few sets that receive UHF signals. Because of that we have a vast part of the spectrum that has been assigned for commercial use going to waste. I think some of you have heard me say on the floor of this House before that the spectrum is one of the greatest of our natural resources in this country. And, I think many of you have heard me say that the UHF portion of the spectrum, which belongs to the American people, is not being utilized and is going to waste.

Now, we have seen our oil resources depleted and that valuable resource going down the drain. We recognize, from experience in the past, that our forestry resources have been depleted and destroyed by wasteful practices. We have experienced that waste of our many resources. Here we have 70 channels assigned throughout the United States that are not being utilized, and what we are doing here today is to try to utilize this valuable resource.

The Federal Communications Commission has tried to do something about this for a period of years. Some few years ago the Commission decided upon an experiment, and by rulemaking sought to bring about what is referred to as "deintermixture." Now, keep that

term in mind. "Deintermixture" means that you take all of the UHF stations out of Memphis, as an example, and move them to Little Rock, and you would take all of the VHF stations out of Little Rock and move them to Memphis.

They would make one of them an all-UHF—ultra high frequency—and the other all-VHF.

Mr. Chairman, the purpose of this deintermixture policy of the Commission was to try to bring about a better utilization of this part of the spectrum. Well, there is where the controversy started. You can imagine how Springfield, Ill., feels about having the only VHF channel taken from Springfield, Ill., and having it moved over to St. Louis, Mo., which already has three VHF stations operating in that city. They took the UHF that was assigned to St. Louis and moved it elsewhere. This is an actual experience. As a result of that, St. Louis, Mo., now has four VHF channels, and Springfield, Ill., does not have any VHF channel. That is one of the situations which is in controversy. The matter went to the Supreme Court of the United States and the Court acted on it and sent it back down to the circuit court of appeals.

Mr. Chairman, to go one step further: a mandate to hear the matter de novo.

Mr. Chairman, to go one step further. Last year, under its rulemaking procedures, the Federal Communications Commission decided it would deintermixture eight of the major markets of the United States. Those markets are referred to in the hearings and the report. I would suggest that the Members of the House obtain copies of the hearings and the report and look at it. The FCC proposes to take all VHF which is considered to be actually better or more desirable broadcasting, and would move the VHF channels to some other community. They were going to take UHF channels and move them into these eight markets. Hartford, Conn., is one of those which has created a real controversy because of this. Columbia, S.C., I believe, is another one. Madison, Wis., is one also. I think that out in Illinois where the gentleman from Illinois [Mr. SPRINGER] comes from, Rockford, Ill., I believe, is another. Anyway, there are eight of the major markets where the Commission proposed to impose this kind of a deintermixture policy.

Mr. Chairman, I do not know how many of the Members have received letters on this matter from those areas. However, I venture to say that those who come from those eight areas received a lot of letters, because people came to see me about it, and they came to see other members of our committee. We took the matter up with the Commission and we tried to do something about it. I do not blame these people, because they had only one VHF station, and to take it away from them, they felt—and I think with some justification—they were being deprived of superior television broadcasting.

Mr. Chairman, we hear a great deal about broadcasting, about programing, and the kinds of programs which we receive. We heard a lot about the broadcasting industry. It is true that our

committee uncovered a lot of things that were not desirable during the course of our investigations in 1958, 1959, and 1960. But I want to say to the membership of the House that the broadcasting industry is trying to do a very good job and the FCC is now doing a very good job.

People in those eight communities thought they were going to be deprived of efficient broadcasting. So they started complaining, and with some justification.

Deintermixture was the short-range approach of the Federal Communications Commission to utilize these UHF assignments. We found that the long-range approach and the better approach from the standpoint of the public would be to require manufacturers to include all-channel-receiving equipment in their television receiving sets, and that is what this bill would do. There are those who raised the question: Is this the thing for the Government to do? Do we have a Government that is going to tell our private enterprise that produces certain products used by the American people that they have got to do it in a certain way? I had some feelings about that myself at the outset. When we measured the total problem involved here and the vast resource that goes to waste, we came to the conclusion that about the only way to develop the resource and utilize it was to pass this legislation. And I believe after the transition period when manufacturers manufacture all-channel-receiving sets, we will bring about an improved broadcasting service throughout the United States.

This is not going to take place tomorrow or next month or next year. In the homes throughout the United States there are television sets valued at billions of dollars which receive VHF only. We are not going to change that immediately. We do not attempt to do that here. So let no home be disturbed for fear that their particular set is going to be obsolete tomorrow or next month or next year.

In order to bring this gradual transition about there will have to be rulemaking procedures under the Administrative Procedures Act, and they will require some time. Then there will be a certain date set for comments to be received from the public and the industry. Then there will be additional time for replies thereto. Thus, it will take considerable time, before the Commission can get to the point where it can conclude the rulemaking that will be necessary to put this legislation into effect.

So it is estimated that it will take something like 3 years before we shall be well underway with the transition to all-channel-receiving sets. And it will probably take as long as 5 or 6 or maybe 7 years for the legislation to become reasonably effective. It is estimated that the average television receiving set has a life expectancy of some 5 or 6 or 7 years. So the country is not going to have its television economy disturbed by this procedure. But it is a long-range approach, and in my judgment it is a solution that we have been striving for a good many years.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. ROGERS of Texas. As a matter of fact, Mr. Chairman, it will also do this: It will open up an entirely new field of endeavor even during that formative period of 5 years, because gadgets can be put on present, existing sets to make it possible to receive these UHF channels. Once this bill is passed, UHF channels will come into being and be used, and the sale of those gadgets to be used on present sets will expand. It will not in any manner affect the reception they are getting from the VHF stations.

Mr. HARRIS. I thank the gentleman for reminding me of that. That is correct.

Anyone who would like to have an opportunity to watch a UHF broadcasting facility from right here in Washington, D.C., where there is channel 26, a UHF educational channel, can get one of these little box converters and attach it to his present receiving set for about \$20 to \$25. That can be done now.

Then the question arises, and it did arise before the committee, you are going to cause the American people to pay more for the television sets they buy. That is not necessarily so. Just a few days ago—I wish I had brought it with me; I forgot it this morning and left it home—I saw a double-page advertisement in the Washington Post. One of the local retail businesses down here was advertising all-channel receiving sets at the same price that they were advertising their regular VHF receiving sets.

In my judgment, the time will come, since we have the ingenuity of our industry, when they will bring out a single tuner capable of receiving UHF and VHF. I think we have the know-how, and I am thankful for the ingenuity of our technical people. I think they can give us this type of service in the United States of America.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Iowa.

Mr. GROSS. We are passing this bill today and we will be compelling the consumers of this country, the owners and purchasers of television sets, to buy two-way receivers; is that not correct?

Mr. HARRIS. To buy a receiver that can receive both UHF and VHF, as well as Nos. 2 and 3 or Nos. 12 and 13?

Mr. GROSS. Yes. We have no assurance that these sets are not going to cost substantially more, have we?

Mr. HARRIS. I have just given the gentleman an actual experience. I was going on to state that in my judgment they would not. I can cite an experience as of today. Our industry in this country has enough ingenuity. In my judgment, they are even going to improve on that in the future.

Mr. GROSS. Does the gentleman know whether this set he speaks of, the information about which he obtained only today, was a converter applied to an out-of-date model, that is, a 1961 model television, or was it a 1962 model

television built with this equipment in it?

Mr. HARRIS. It was a 1962 model with all channel tuners in it.

Mr. GROSS. And they cost no more?

Mr. HARRIS. That is what this double-page advertisement said.

Mr. GROSS. It is difficult for me to believe they would put different equipment in. Now, how about the antenna? Does it require a different antenna for ultra high frequency than for very high frequency?

Mr. HARRIS. You can get UHF reception by modifying your present VHF antenna. In other words, from an antenna on top of your house, if that is what the gentleman referred to, you can receive VHF and the same antenna, after modification, can be made to receive UHF.

Mr. GROSS. If the gentleman will yield, it can be made to do this, just as the present television set can be made to receive UHF broadcasts, but what is going to be the cost of making it do these things?

Mr. HARRIS. Not necessarily any more than it costs today to prepare your antenna for three or more VHF channels. It depends on the location.

Mr. GROSS. If the gentleman will yield, if the gentleman will permit me, that is elective today as to how many channels you want to receive on your set.

Mr. HARRIS. It will be elective.

Mr. GROSS. But this is mandatory; this is compulsory in its ultimate effect.

Mr. HARRIS. No, it is not any more mandatory from the standpoint of the antenna problem than it is today.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. I think the gentleman from Iowa, of course, is disturbed about something which can be cleared up, and I think it should be cleared up. I do not think anyone ought to have any doubt in their mind that this does not force anyone to do something that they are not doing today. The services you are getting today will be available after the passage of this bill. This simply provides a new service which will be available to you, if you want to buy it.

Mr. GROSS. If the gentleman will yield so that I may respond to that.

Mr. HARRIS. Of course, I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Now you are going to say that you have to buy a set equipped to receive both UHF and VHF.

Mr. ROGERS of Texas. No, you do not have to buy a set.

Mr. GROSS. So that you are not in the same position that you are in today.

Mr. ROGERS of Texas. You do not have to buy a set at all. You can keep the set you have, if you want to and you do not even have to put a gadget on it.

Mr. GROSS. What happens when the set wears out?

Mr. ROGERS of Texas. What happens when the set wears out? You can buy a set like this or you can buy one without it as long as it has not been

shipped in interstate commerce. Certainly, you can buy such a set manufactured within a State.

Mr. GROSS. That is if you happen to have such a manufacturer in your own State, you can buy one in your State.

Mr. ROGERS of Texas. That is right.

Mr. GROSS. But you cannot buy a set that is manufactured in another State.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRIS. Mr. Chairman, I yield myself 2 additional minutes and now yield to the gentleman from Illinois [Mr. COLLIER], a member of the committee.

Mr. COLLIER. I thank the chairman, but I am going to take some time later.

Mr. HARRIS. Mr. Chairman, I have one other comment to make. We had full and extensive hearings on this legislation. Some of the major manufacturers of television sets came before the committee and they are supporting this legislation. So we feel that if some of the major manufacturers of the industry feel this is a good thing and is a way to improve and expand television services for the American people—if it can be done in this way instead of being done the hard way by deintermixture, as I described to you a minute ago, it would be a lot better. The committee overwhelmingly approved this bill and recommends that it be approved in the form in which it was reported by the committee.

Mr. Chairman, I urge the adoption of this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, may I say I do not know of any hearings which went into a problem more exhaustively than these hearings on the question of all-channel receivers. I think everyone in this country who wanted to be heard was heard and were given all the time that was necessary for them to make a detailed explanation of their position.

Mr. Chairman, I realize this is a somewhat complicated matter when I stand here to try to explain it to you and explain it in simple terms which you can understand. But I think, first of all, it is necessary to describe the difference between a UHF broadcast and a VHF broadcast in terms of how far away the broadcast may be received and the economics involved in it and then the action as a result of this by the Federal Communications Commission.

Consider a UHF broadcasting facility in the center of a circle to the limits of which the signals can be sent.

The diameter of this area would be somewhere in the neighborhood of 40 miles, about 20 miles from the center of the circle. That, as I say, would represent the UHF broadcast area. If we take the VHF the diameter of the area would be about twice that, 150 to 180 miles, or a radius of 75 to 90 miles. That shows the greater area of reception distance of the VHF broadcast as compared with the UHF. The result has been, so the UHF people have said, and

so the Federal Communications Commission has told us, that the mechanics of the situation are very much in favor of the VHF station as compared with the UHF station. With the result that many UHF stations, so they say, have not been able to compete because their income does not enable them to maintain their service in competition with the longer range VHF stations.

For instance, in my own area there are some 750,000 to 1 million people who may receive from the V stations.

From any of the U stations there probably would not be over 200,000 people who could receive the broadcasts. So that gives you the picture, when you get into the advertising field, of the difference between the U's and the V's. That was the problem, said these UHF people when they came down to the Capitol 2 years ago and appeared before our committee and the Senate Interstate and Foreign Commerce Committee. They said they wanted all-channel receivers so that any receiver on the market could receive the U in addition to the V. We did not do anything about it; neither did the Senate. This year they came back and spoke of the importance of these 1,554 UHF assignments, of which only 7 percent are in use. If we are going to develop that approximately 1,300 UHF assignments which have not been taken advantage of, we will have to have some remedy for it. So what we are going to do in order to keep the U's in here, we are going to take the V's out of the areas where there are several U's and we are going to put them all over in another area. This will leave all UHF's in this area and all V's in the other. The U's will be taken away from certain areas and not be in operation; you will have the U areas and you will not have them going into the market of the V areas.

That was not acceptable to some of us. Why? In my own area, for instance, we have both V's and U's, but the V with its tremendous radius is able to serve the rural areas.

So then the suggestion was made that all new receivers should be so constructed as to receive VHF and UHF. Then we could conquer this problem because then the people could turn to the U's the same as to the V's as they wished.

Over a period of years the V sets have been more popular than the U sets. So the thing to do is to sell the UHF and the VHF together. They can both be built into the same receiver. That is simply what the problem was.

Finally, I think we got a very substantial number, if not all, of the VHF industries and the UHF industries to agree this would at least be a good starting place. This would help to conquer the problem and solve some of the problems which the Federal Communications Commission had come to our committee with and said something has to be done about it. "If you will give us all-channel receivers," they said, "by putting the UHF and VHF together, we will put deintermixture on the shelf for 5, 6, or 7 years"—I am using the exact words which they used in a letter to us—"we will merely put this thing off from further consideration of the deintermixture

problem, if you will give us the all-channel receiver legislation." That is the reason that the television industry, I would say almost unanimously today, both in the UHF and the VHF field, have said, "Let us have an all-channel receiver. Maybe this will solve the problem." It at least is worth working on and "if we do that then there will not be the necessity in 5, 6, or 7 years from now to have a further hearing on the deintermixture policy."

Mr. DENTON. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. DENTON. I want to ask the gentleman about the deintermixture proposition in Evansville, Ind. I gather from the gentleman's report that that litigation will continue and there will be no motions in that deintermixture proceeding.

Mr. SPRINGER. The gentleman is a lawyer and I am going to talk to him in legal terms. Actually, what happened in your case and in the Springfield case, which involves the gentleman from Illinois [Mr. Mack] and two other cases, one in Bakersfield and one other case, those were proceedings which were already in effect and were in the process of determination. So there was not anything the Commission could do in that those were contested cases, just as if you had a contested case in court. We could not cover legislation which would remove that. This in effect does not remove the deintermixture proposition at all. It only postpones the problem until some future date.

Mr. DENTON. As I understand it, they will go right ahead with the court proceedings in channel No. 7 in Evansville, Ind.

Mr. SPRINGER. There is not anything the Commission can do about that. They had to take these four cases because they were in litigation.

Mr. DENTON. But you are putting a moratorium on everything else but three other plans.

Mr. SPRINGER. Yes.

Mr. DENTON. The effect of the argument is that in a part of the district I represent we will be left without television.

Mr. SPRINGER. I regret that as much as he does, but looking at it from the legal viewpoint and from what I would say pure justice, that is all I see the Commission could do.

Mr. DENTON. And for 4 or 5 years they have to wait for the television.

Mr. SPRINGER. Yes. I understand the gentleman's position perfectly.

Just to wind this up on the question of how this should be done, first I want to talk about cost. You may hear people who will say this is going to increase the cost. We have manufacturers who came before our committee and said it would; however, most of those, as I remember, were those who were opposed to the legislation in the first place. There is going to be tremendous inertia by manufacturers to want to make that change. But I think all of the concrete evidence we have at the present time indicates that there will not be any increase in the cost of these receivers,

even though they receive both VHF and UHF. The advertisement to which the distinguished chairman referred a minute ago that they were now on the market at the same price is not new. When the Federal Communications Commission came before our committee, the chairman of the Commission cited us an instance within 2 weeks from the time he came to the stand to point out there was a store here in Washington offering to sell all channel receivers at the same price they would sell VHF or UHF alone. That is the best indication as to whether this will increase the cost of all-channel receivers. There should not be any reason why it should be more, in view of the history we have had since the first of the year.

I want to speak now about another question which is usually called public interest. Is this in the public interest? I think the chairman made a point a moment ago when he said this is a question of whether you are going to say to the manufacturer, "You now have to produce an all-channel receiver if you are going to ship it in interstate commerce."

What we have done is to wrestle with the problem of saying to the manufacturer that you have to produce an all-channel receiver with the overall question which is wrapped up in VHF and UHF. I think my colleagues will agree that there is a serious problem here when you have some 1,300 UHF bands at the present time that are not being used. Now, if we are to ultimately make those 1,200 or 1,300 unused stations usable, the only solution that we could see that would help this proposition was to get an all-channel receiver.

Now, that is what I call the policy that we arrived at as the result of all of the evidence that was brought before us. May I say that I thought the committee did an excellent job. There was tremendous interest in it. I do not know of a time when more members were present every day listening to what was going on and trying to offer constructive suggestions. I know I have wrestled with this problem and I have come to the conclusion that this bill is in the public interest, and this is the only way that I can conceive at the present time whereby we can solve this problem and this difficulty between VHF and UHF reception.

Mr. Chairman, I now yield 5 minutes to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, I rise in deep opposition to this legislation, notwithstanding the fact that I, the FCC, the television stations, the networks, the educators, the farm groups, and even certain manufacturers of television sets, appear to be in favor of it. I am opposed to it for a very simple, basic reason. I do not think the Congress of the United States has any right to enact legislation which in sum and substance dictates not only the type of equipment any manufacturer must manufacture, and in the same breath dictating the type of equipment that a consumer must buy. And, I think we will be telling thousands of American people that they must buy a certain type of television set or a certain

facility whether they need it or whether they want it or not; and I do not think this is good legislation from that standpoint. I understand gravity of the problem of deintermixture, which I have been through with the chairman of the committee and other of my colleagues. But I do not care how you sugar coat this type of a bill, in the final analysis I do not think it is proper legislation in principle.

Do you know that presently you must have a special type of aerial in order to receive color television? How do I know, if we set a precedent in this legislation, that we might not be back enacting legislation at some future time saying that the aerial manufacturers have to manufacture aerials that receive both black and white and color television? The principle is the same.

Now, I am just not prepared to believe that this is not going to increase the cost of television sets, the advertisement of this particular retail store in Sunday's newspaper notwithstanding, because before our committee during the hearings on this bill the manufacturers testified, without exception—and I am pleased to be corrected if I am wrong—that it would in fact increase the production cost of television sets. The figures that were given to us ranged anywhere from \$20 to \$30 per set. As long as people who need a certain type of facility can obtain it, I do not see why those who do not need it should be required, as they would be under this legislation, to buy it. It seems to me that the first step should be to remove the 10-percent excise tax on television sets and enable some of the people to save the additional cost and pay for the facility necessary to receive UHF.

In summary, I think this is basically bad legislation in principle, and I am opposed to it.

Mr. NYGAARD. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am happy to yield to the gentleman from North Dakota.

Mr. NYGAARD. Did the gentleman learn from the testimony that was given in the committee how many areas would be making use of the UHF, and how many areas possibly could not make use of the UHF broadcasts?

Mr. COLLIER. That information was given to our committee. I do not recall at the moment just how many there were. But it seems to me that with the proper receiving facility; that is, a television set that would receive signals from UHF, it would cover about 60 percent of the present area that cannot be reached where they do not have the equipment capable of receiving UHF.

Mr. NYGAARD. If the gentleman will yield further, as I understand it, the only necessity for this is in highly concentrated population areas where they need additional broadcasting bands to be placed into operation. I think I can frankly say that through the States of North Dakota, Montana, South Dakota, through a great deal of Iowa, through Kansas, Nebraska, Oklahoma, and a great portion of Texas, those people would be caused to pay additional money for something that they would never un-

der any condition have the opportunity to make use of.

Mr. COLLIER. I thank the gentleman.

Mr. Chairman, let me just make this observation: If the television manufacturers are so amenable to this legislation, it just seems to me that we do not need the legislation. If they wanted to manufacture these sets, they would be in a position to do so without legislative compulsion. Therefore, if this sentiment does exist among the television manufacturers, then we need not this legislation which is pending before us today.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. SIBAL].

(Mr. SIBAL asked and was given permission to revise and extend his remarks.)

Mr. SIBAL. Mr. Chairman, I rise in support of H.R. 8031. The passage of this legislation will assure the continuation of VHF television service to hundreds of thousands of viewers in the State of Connecticut. Many of these viewers would be deprived of all television service if the VHF service at Hartford were eliminated by deintermixture proceedings. Because of the intervening hills and other technical problems peculiar to this area UHF service cannot be a substitute for many years to come. The situation in Hartford is not unique. It is duplicated in many areas throughout the country.

Mr. Chairman, during the recess last fall I visited several European countries in order to study firsthand the experience they have had with UHF, which up to date has been used more extensively in Europe than it has here. I returned with what I think is a fairly clear view of the technical difficulties involved in switching over from VHF to UHF. Some of the more elemental problems concern the transmission of the signal. More transmitters and more powerful ones are needed for UHF than for VHF in order to provide comparable service.

Mr. Chairman, Europeans are confident of their UHF program, but they recognize and state very frankly that it is more costly. Despite this confidence they have in their UHF programing, I found a very general feeling that VHF would always be the No. 1 system in Europe.

Mr. Chairman, the ratio of power needed for UHF in larger towns is greater than the ratio of power needed in smaller towns. The transmitters have to be located with great precision in order to avoid "ghosts," or duplicate images on receiving screens.

These "ghosts" are caused by signals bouncing from intervening structures.

Mr. Chairman, where UHF would most clearly meet the VHF standard would depend primarily on the terrain. This is the governing consideration. The cost of an UHF network would be very much in excess of that of a VHF network covering the same area. I could get no precise figures from the European experts, but all agree that the cost differential would be substantial, and one man told me he thought it would be approximately double that of VHF.

The problems of UHF transmission derive from the greater sensitivity of the system. Delicate directional transmissions are required and good roof antennas are needed for proper reception. Each system must be carefully tailored to the geography of the particular area. Nevertheless and notwithstanding all this, it seems to me obvious that we have a responsibility to see to it that this important part of the spectrum does not lie dormant.

I have no doubt that UHF can be made workable and satisfactory. In some ways it is superior to VHF. I refer to the fact that it seems to be less affected by interference from the ionosphere and certain manmade static. But this development must be carefully prepared and we must make sure that existing service retains its quality.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. SIBAL. I yield to the gentleman.

Mr. MONAGAN. The gentleman has referred to the situation in Connecticut. Of course, all of us have great interest in that. Do I understand that this legislation will, in effect, take care of the problem of channel 3 that we have been discussing?

Mr. SIBAL. If the gentleman will refer to the report he will find, I believe in appendix B, a letter which the committee received from the FCC indicating that they were anxious to cooperate with us and that they would agree to a moratorium on deintermixture procedures in the event this legislation pass.

Mr. MONAGAN. So that there may be a requirement as to sets coming into the area, but there will not be the compulsion on moving channel 3 that we feared existed prior to this time?

Mr. SIBAL. It is my opinion that the future of channel 3 is definitely tied to this legislation. If this legislation passes I have every reason to feel that we will continue to have channel 3 in Hartford. If it does not, we have a problem.

Mr. MONAGAN. I thank the gentleman and the members of the committee for their consideration of this problem.

Mr. SIBAL. The gentleman from Illinois [Mr. COLLIER] referred to the cost. Actually, it is my recollection that the evidence in the hearings indicated that if we pass this legislation and dual receiving apparatus is developed on a mass production basis the increase in cost will be minimal, if any, after they get to a mass production basis.

I agree with the Chairman when he indicates that it is his conviction that the cost of purchasing the new type set is not a major factor. It is quite possible that the additional cost will be nonexistent very shortly. I recognize that this is not an easy question. On the surface it might appear that this is another example of Government interference with private business. But I think when we consider the fact that we have the responsibility for the airways which do not belong to any private company or industry but belong to the American people, only the Congress of the United States can see to it that the airways are used properly and efficiently for the public good, and this overrides whatever

question we may have concerning the passage of this legislation.

Mr. Chairman, I urge the adoption of this bill.

Mr. NYGAARD. Mr. Chairman, will the gentleman yield?

Mr. SIBAL. I yield to the gentleman.

Mr. NYGAARD. The gentleman stated that the airways belong to the general public, and with that I certainly agree. On the other hand one-half of the United States is going to have to spend additional money for their TV sets. The airways can be aided without this legislation so I do not see any justification for passing this bill.

Mr. SIBAL. Mr. Chairman, I would respond to the gentleman in this way. I understand the problem the gentleman has in his district. I would point out that most of the educational TV systems are using UHF and it is my belief that the day is coming when we will develop educational TV to the point where the people in the gentleman's area will need UHF receivers.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. ROGERS of Texas. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I join the proponents of H.R. 8031, which authorizes the Federal Communications Commission to require that all television receivers shipped in interstate commerce or imported into the United States be equipped at the time of manufacture to receive all television channels; that is, the 70 channels in the UHF portion of the spectrum, as well as the 12 in the VHF portion. I note in passing that both the General Counsel of the Federal Communications Commission and former Deputy Attorney General and now Justice Byron R. White have submitted detailed opinions which are incorporated in the committee's report on this measure, to the effect that it is a constitutional exercise of congressional powers under the commerce clause of the Constitution.

I take it that there is widespread unanimity in the nature of the problem to which this bill is addressed—the need for the utilization of the ultrahigh frequency portion of the spectrum, in order to provide a truly nationwide and competitive system of television broadcasting, with adequate outlets serving communities' needs in all parts of the country.

In the recent hearings on this bill, the Committee on Interstate and Foreign Commerce has again heard authoritative testimony about the critical shortcomings in the service provided by the current pattern of allocations and assignments in the Nation's television markets. The distinguished and vigorous Chairman of the Federal Communications Commission, Newton D. Minow, has testified:

The failure of our television system stems from the failure of UHF broadcasting to develop as had been expected. Moreover, it is clear that unless it is to be the decision of the country to settle for the present limited systems, we have no place to go except into

the development of the 70 UHF channels which are practically lying fallow.

Here is a major resource that still remains largely untapped.

I do not wish to dwell on the experience to date, which has not been a happy one. Yet, we must face the fact that 1,600 out of over 2,200 television channel assignments made by the FCC remain unused. Significantly, over 1,400 of these are in the UHF band. Indeed, only about 100 out of a total of 1,500 UHF channel assignments—or about 7 percent—are currently in use, and 18 of these are educational stations. Meanwhile, some 100 UHF licensees in all have failed and gone off the air. In 83 areas where one or more UHF stations once operated, their signals are silent. The staggering losses incurred in both money and effort stand as an object lesson to those who would be tempted to risk their capital in such a venture.

However, the task at hand is no longer to catalog the symptoms or to diagnose the illness that afflicts the industry; rather the problem is to prescribe an effective and workable remedy while there is yet time.

UHF stations are at a crippling competitive disadvantage with competing VHF stations and the scarcity of television sets equipped to receive UHF telecasts is cited as one of the major factors in this disparity. It is estimated that of the some 55 million television sets now in use, only 9 million are equipped to receive UHF as well as VHF broadcasts. It should be emphasized in this connection, that only 6 percent of the new sets produced in 1961 were equipped for UHF reception as compared with 20 percent of the new receivers manufactured in the year 1953.

The theory of the legislation under consideration today is that getting UHF sets into the hands of viewers will ultimately turn the tide, after which, according to the Chairman of the FCC, "time would start to run" in favor of UHF broadcasting. Here then is at least a concrete step which has the endorsement of the FCC, the broadcasting industry including the television networks, and the Committee on Interstate and Foreign Commerce, whose distinguished chairman, the gentleman from Arkansas, Representative OWEN HARRIS, has submitted a favorable report. Moreover, the measure has received the endorsement of the President in his recent message to the Congress on protecting consumer interest.

I have, along with the other members of the House Antitrust Subcommittee, of which I am chairman, long been on record as an advocate of legislation to promote all-channel receiving sets. Some 5 years ago, our Antitrust Subcommittee had this to say in its report issued after a full-dress inquiry into monopoly problems in the television broadcasting industry:

The committee believes that receiving set incompatibility lies at the heart of the UHF problem. Faced from the beginning with a VHF circulation lead of over 17 million sets, UHF has never caught up but on the contrary has fallen further behind. The solution of the critical problem of receiver set incompatibility requires legislative action.

This is likewise the current view of the Chairman of the FCC who states that "all-channel receiver legislation is the basic and essential key" to the television allocation problem. Chairman MINOW has further stated:

For with this legislation, time would begin to run in favor of UHF development. The UHF operator [both commercial and educational] could look forward to UHF receiver saturation not only in his home city but in the surrounding rural area as well, and could expect improvement in the quality of the UHF portion of the receivers in the hands of the public. With increased use of UHF, and increased incentive for both equipment manufacturers and station operators to exploit its maximum potential, there is reason to believe that several of the problems which presently restrict the coverage of UHF stations would be overcome.

In all candor, I must state that in less optimistic moments, I have felt that the all-channel bill standing by itself would only tend to lessen the heavy odds against UHF broadcasting.

While I hope that the high expectations of the Commission may be fulfilled, I am mindful of the further time lag that must inevitably occur, before this measure, if it is enacted, will be capable of exerting any appreciable or decisive effect. Chairman MINOW estimates that "if this proposal is enacted, there will be available, within 4 to 6 years, a large enough percentage of all-channel sets in use to mark a beginning of the end" of the imbalance between VHF and UHF—Harris committee hearings, page 124.

In the critical years ahead there is no reason for complacency. I would caution and urge the FCC to leave no stone unturned in an unceasing effort to stimulate the demand for UHF by other means and to promote its technology.

Finally, I note that while the FCC has informed the Committee on Interstate and Foreign Commerce that if this legislation is enacted, the Commission will not proceed with the eight deintermixture proceedings initiated on July 27, 1961, pending an assessment over a "sufficient period of time of the effectiveness of the measure in achieving the Commission's overall allocations goals"—Harris committee report, page 19.

I note also that in its communication to the committee, the FCC has set forth at length cogent reasons why any deintermixture moratorium shall not be applicable to the pending deintermixture proceedings in Springfield, Ill., Peoria, Ill., Bakersfield, Calif., and Evansville, Ind. The Commission's expert views on this score warrant respect.

In 1961, FCC Chairman MINOW submitted a progress report to our Antitrust Subcommittee regarding the record of the FCC in acting upon the subcommittee's prior recommendations. In the course of his testimony, the FCC Chairman said:

As it has become clearly evident that UHF could not compete effectively in areas where there were multiple VHF services, the Commission has devoted a considerable portion of its time and efforts to solution of the allocations problem. One by one, we have been forced to narrow the alternative approaches. It is impossible, for example, to have a competitive television system ade-

quate for the Nation's growing needs in the commercial and educational fields within the confines of 12 VHF channels.

The broad vista of UHF is still open. I urge passage of H.R. 8031 as a means of proceeding in that direction.

(Mr. CELLER asked and was given permission to revise and extend his remarks.)

Mr. ROGERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. HEMPHILL].

(Mr. HEMPHILL asked and was given permission to revise and extend his remarks.)

Mr. HEMPHILL. Mr. Chairman, I rise in support of this legislation, which I think solves a good many problems for this industry. One of the problems I think we are concerned with is the fact that when there is competition the UHF station, which is endeavoring to render the public assistance, education, service, and entertainment, is not profitably competing in the advertising market. We seek to help with the market and at the same time improve service.

When this problem first came up it was interlocked with the problem we call deintermixture. Let me publicly thank the chairman of our committee, the gentleman from Arkansas [Mr. HARRIS] for working out this grievous problem which affected many areas of the country and particularly the areas of the country represented by the gentleman from Alabama [Mr. ROBERTS] and myself.

Mr. ROBERTS and I had identical problems in the fact that we had VHF channels in our State capitals which we felt and feel are necessary to the education, entertainment and enlightenment of the people of our respective States. If these particular channels had been removed from those State capitals, numbers of people would have lost the TV communications which they had with the State capitals of Alabama and South Carolina. They would have been deprived of the value of their television sets and they would have been deprived of the news from their capitals. I am happy we have reached a moratorium and a solution. I salute the efforts of the gentleman from Alabama [Mr. ROBERTS] to preserve the channel at Montgomery for the people of Alabama.

My distinguished colleague from Alabama and I put in some additional views which I hope receive the attention of the committee. We had expressed the hope the moratorium would be as long as 9 years. I was happy to note that although not that long it was made 5 or 6 or 7 years, and the chairman of the committee has stated today on the floor it will be possibly more years. So I think we have a very happy situation in which we get a chance to see if we cannot solve this economic as well as communication problem by popularizing, so to speak, UHF channels by giving the people television entertainment and at the same time retaining in those areas affected by the proposed intermixture proceedings those UHF channels we found so necessary.

As we said in our additional views, today we are facing the Federal Communi-

cations Commission and saying to them, "We accept your proposition that if you get this legislation you will solve the problem in part or at least have a vehicle for solution, an avenue for exploration." But at the same time we expect the Federal Communications Commission to keep faith with us in the moratorium, in lifting the deintermixture proceedings at this time and giving this thing a chance to work out by competition between the UHF and VHF in the very best American tradition.

I heartily support this legislation.

Mr. SPRINGER. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SCHENCK].

(Mr. SCHENCK asked and was given permission to revise and extend his remarks.)

Mr. SCHENCK. Mr. Chairman, seldom is it my privilege or custom to speak in the well of the House on any legislative matter because I have felt from time to time that some of these things are better left unsaid. However, I would like to pay a very sincere tribute to our Committee on Interstate and Foreign Commerce. It is a very great committee. It does a fine job under the great leadership of our very distinguished chairman, the gentleman from Arkansas [Mr. HARRIS]. So it is a privilege and an honor to serve on this committee and a privilege and honor that I cherish deeply.

Our distinguished chairman and others have explained the bill very well and pointed out the importance of both VHF and UHF television reception. I regret to find myself in opposition, however, to the bill as introduced by our chairman, and, in all honesty, I feel compelled to do so because I feel H.R. 8031 as presented here and now is not in the best public interest. Not everyone in this Nation will need or will be able to use an all-channel receiver. Yet, we are hereby in this measure requiring them to purchase such a receiver. Some who testified before our committee said there would be no additional cost or that there would be very little additional cost.

Others who testified before our committee said there would be an additional cost, and the testimony from those sources I felt was very reliable, knowledgeable and well informed. It was estimated that an all-channel receiver would cost approximately \$25 more at the consumer level than would the single VHF receiver. It was also stated that there are some 6 million television sets manufactured each year. So if we are going to increase the price of these sets through this legislation by \$25 each, we will be asking the public generally to pay an additional \$150 million in one year for the purchase of these all-channel TV receivers. People who need them and want them will buy them—and they ought to have complete freedom of choice and the opportunity for self-determination as guaranteed in the Constitution of the United States.

If we here in the House of Representatives or in this Congress can tell people what they must buy in the way of a television receiver, then, of course, it follows that we can also tell every man that he must wear a three-button suit;

or we can tell every purchaser of an electric refrigerator that he must have certain types of shelf arrangements in a refrigerator. Of course, we have made certain requirements in electric refrigerators for door latches to prevent the suffocation of children that have become law. We have made certain requirements in the purchase and sale of various kinds of other equipment and products sold in interstate commerce. But, these requirements have always been based upon the matter and the question of public safety and welfare and, certainly, not on the basis that "you must have them whether you need it or not." Yet, that is what we are attempting to do in this legislation.

UHF channels are very important in many areas of our Nation and they perform a very valuable public service especially in the field of education television and in these instances they are in the public interest. But not everyone will need to have a UHF receiver available or have a UHF transmitter available. So there is not any justification for us here in the Congress to make a firm requirement that there can be only all-channel receivers sold in interstate commerce.

We have had some bills before our committee at the same time as H.R. 8031 and which in addition to requiring all-channel receivers also included provisions which prohibited the FCC from proceeding with the intermixture referred to so well by our chairman and explained by him; and I am sure everyone understands it.

This is an important matter, and in my own judgement I personally feel that we should actually write into the law specific provisions prohibiting the Federal Communications Commission from taking away from any community a channel which is allocated to that community.

Certainly, I do not mean that we should say "Here is Mr. X who has had this TV channel or this TV license, and he must be protected." I do not mean that at all; I mean that that community should be protected by having certain facilities already assigned there not subject to be taken away at the will of the Commission.

Mr. MACK. Mr. Chairman, will the gentleman yield?

Mr. SCHENCK. I yield.

Mr. MACK. I am very pleased to hear the statement of the gentleman with regard to the deintermixture and a policy which denies first-class television service to certain sections of our country.

I presume the gentleman is in favor of my bill which would prohibit discrimination in the assignment of television stations, that would expand and clarify section 307(b) of the Federal Communications Act so that it would be eminently clear that the Congress does not want the Federal Communications Commission to have authority arbitrarily to select areas of our country where they can receive only the more limited service or VHF or UHF service.

Mr. SCHENCK. Mr. Chairman, I thank the distinguished chairman for his comment. Our distinguished col-

league from Illinois has long been interested in this very important phase of this problem, and has made some very real contributions to the survey of this problem.

I will say to the gentleman that it seems to me we must be extremely careful in allocating discretionary power to an agency of the Government to permit it to do what it decides to do without having first received permission and authorization from the Congress to permit such action.

In discussing this matter before our committee the Federal Communications Commission indicated it was deeply opposed to having any prohibition placed upon it and its discretionary power to decide, if it wanted to move a VHF station somewhere else, so they said in substance they felt they must have the all-channel receiver and that if this committee would report out legislation which will grant them all-channel receivers they would then declare a moratorium and reconsider the deintermixture problem now before them.

From my own personal point of view I doubt the wisdom of bargaining with any Federal agency which must come to the Congress for authority on what they should do. It seems to me, therefore, that our colleague, the distinguished gentleman from Alabama, Mr. ROBERTS, who introduced H.R. 9267 and whose additional views are set forth in this report had a very excellent bill. I would recommend to the members of this committee that they look over the report and this legislation very carefully.

You will find on page 18 under appendix B where the question about deintermixture was raised with the Commission and the Federal Communications Commission decided they would not be happy with that at all and wanted the all-channel receiver legislation only.

You will find their statement beginning on page 18 such as I have outlined in brief.

So: Mr. Chairman, I am reluctant to oppose legislation presented by our committee, because we have a very wonderful and able committee in the House of Representatives.

Yet, in all honesty, and in the public interest, I feel that the bill now before us should either be amended to include a prohibition against any action by the Federal Communications Commission on its initiative to deintermixture any area or we should disapprove the bill.

Mr. ROGERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MACK].

(Mr. MACK asked and was given permission to revise and extend his remarks.)

Mr. MACK. Mr. Chairman, the gentleman from Ohio has made a statement opposing the legislation before us because it will cost the television viewers of America, or television purchasers, a few cents more or a few dollars more when they purchase new television sets. Presently, it is estimated it will cost about \$25 per set, but when we require all of the manufacturers to manufacture the all-channel receivers they will mass produce. Today only about 16 percent of the

television sets are produced to receive all channels. When they begin to mass produce in competitive fashion the all-channel receiver, you will find that price is substantially reduced. I am not conceding it will cost an additional amount, but I say it will be substantially reduced at that time.

First of all, there are 45 million people today viewing television who are not able to receive UHF. I maintain it is in the public interest of our people to have competitive television. They will be forced to provide better service. It is in the public interest to have the set equipped so the people can receive the UHF stations if they want to.

I think, I was one of the leaders in the fight against the deintermixture. I pointed out consistently how much better the VHF signal is than the UHF and how much more important it is to have the UHF in all areas of our country. Even with that I still maintain this bill is in the public interest and we should have all of our sets equipped to receive all UHF signals.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. MACK. I yield to the gentleman from Illinois.

Mr. COLLIER. I just wanted to know upon what you base your conclusion that eventually, through mass production, this will not increase the cost of television sets, because it is contrary to the statement made by the people in the industry.

Mr. MACK. I will be glad to tell you. You know, the old Dodge group were ready to run Henry Ford out of the country when he reduced the cost of his product. But, he reduced it, and he was the most successful manufacturer in the industry. Now, that is exactly what will happen if you require the manufacturers to manufacture all-channel sets. They will all be fighting to see who can produce these sets for market at the lowest price.

Mr. COLLIER. This prediction is your only basis for this conclusion?

Mr. MACK. Well, I would argue in favor of this bill if it cost \$25 more per set. But, I am satisfied in my mind, and I think the gentleman is satisfied, that when it comes to mass production, it will be substantially reduced.

Mr. SCHENCK. Mr. Chairman, will the gentleman yield?

Mr. MACK. I yield to my good friend and colleague from Ohio.

Mr. SCHENCK. I thank the gentleman. May I point out to the gentleman from Illinois that he is on rather shaky ground in predicting that mass production will make it possible to produce all-channel sets without increasing the cost.

Mr. MACK. I want to correct the gentleman right there. I did not make that statement.

Mr. SCHENCK. I suggest to you that the automobile to which you referred is probably the best illustration of that point, for as I recall, when my family bought a Ford automobile years ago, it was about \$700. It is quite different today.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. MACK. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. In regard to the price, I think it ought to be made very clear that the testimony on this issue was that the outside cost at the present time on the changeover would be about \$25. Now, I have one television set in my house that cost me \$300 just a few years ago. That set today sells for around \$175; \$125 less than a few years ago. Now, the \$25 cost that is attached to the sets that will be produced with the all-channel receiver exceeds the changeover cost, but I think within a very few years this will be wiped out to where the cost of the set will not be affected. But, it must be remembered that in addition to the present service that you get on a set in Washington, D.C., of four or five channels, you get many additional channels. You get all of this additional reception at a much less cost. And, you do not have to do it unless you want to. It is elective.

Mr. MACK. I thank the gentleman.

I just wanted to mention the question that was discussed concerning refrigerators, putting a special kind of device on a refrigerator so that it can be opened from the inside. That matter came before our committee, and I recall the arguments that were made about that, that the burden was on the manufacturers. I recall General Electric and Westinghouse descending on the Congress and on our committee saying how unfair that was, even while every day there was some little child being killed in a refrigerator. We proceeded with our hearings, and the gentleman from Ohio served on that committee. I testified before the committee in favor of that bill. Certainly that was a worthy cause. I do not see anything wrong with the procedure that we are employing today in requiring manufacturers to produce an all-channel receiver, especially when the manufacturers are not opposing it.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. MACK. I yield to the gentleman from Arkansas.

Mr. HARRIS. Is it not true that the subcommittee on which the distinguished gentleman from Ohio, Mr. SCHENCK, served, did a very fine and excellent job in connection with highway safety when the committee reported out legislation to require seat belts. Later, the manufacturers themselves went ahead and today they install seat belts as standard equipment.

Mr. MACK. The gentleman is exactly right.

Mr. Chairman, I would like very much to comment on the statement made by the chairman of the Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS], to this effect: We have a proposal pending before the Congress today to do something about exhaust stacks on automobiles, which exhaust gases have been very detrimental and many of the cities of our country are concerned about the matter and have contacted various Members of Congress. I predict that the

gentleman from Ohio [Mr. SCHENCK] will be back before this Congress this year trying to get legislation which would require all of the manufacturers of automobiles to clean up the exhaust as it comes out of the exhaust pipes of automobiles.

Mr. SCHENCK. Mr. Chairman, will the gentleman yield?

Mr. MACK. I will be glad to yield to my very good friend, the gentleman from Ohio [Mr. SCHENCK].

Mr. SCHENCK. Mr. Chairman, I thank the gentleman for yielding. May I point out to the gentleman that in my statement I tried to carefully delineate the differences in the two types of legislation. It is quite true that the subcommittee on which I serve, and of which I am very proud, did produce legislation which required closers on refrigerators which could be opened from the inside. It is quite true that the subcommittee upon which I have the honor to serve did produce legislation requiring research in exhaust gases of automobiles. May I point out again, as I have tried to do in my statement, that this was a matter of public safety and welfare. The matter of VHF and UHF television reception is entirely a matter of voluntary decision upon the part of those who want to hear this program or that program. When we require them to purchase that, then we could also require men to wear four-button suits as a matter of appearance, and not as a matter of safety.

Mr. MACK. Well, I would say that the gentleman is correct, if this legislation required the people of America to purchase television sets. However, it does require the manufacturers of television sets to manufacture sets that will receive UHF broadcasts. They will be known as all-channel receivers. I feel that this is in the public interest. The people of our country own all of the airwaves. With the enactment of this legislation we can have more competition, we can utilize many of our UHF stations. I want to say to the gentleman—and I think the gentleman was interested in educational television—we have quite a few UHF stations that are going to be educational television stations, and if those people do not have the converters and if we do not pass this legislation, they will not be able to hear the station. I maintain that is in the public interest. There is a tremendous shortage of receivers in this country today. I supported the bill providing for educational television which was pending before the Congress only a few weeks ago. I believe it has a great future. This bill today will help the educational television program move along, and I am all for it.

Mr. Chairman, I am for this bill for another reason. I noticed that the gentleman from North Dakota said:

We do not need it in North Dakota. We have all VHF channels out there. We have such vast distances involved that even the VHF will not cover these areas, and we do not use some of our VHF stations in these sparsely settled areas.

I concede the point in that area. But I do not think the people of one district send their Representative down here to represent the interests only of that dis-

strict. They send him here to make this place a better country. They send him here to pass legislation that affects every section of the country. This legislation is in the public interest and I hope the gentleman from Ohio will change his mind and support it.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. MACK. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I wonder if the gentleman would agree that if price were the only consideration in the passage of this bill the bill ought to be defeated. But it seems to me that the transcendent issue here is whether or not we are going to build up the UHF stations to where they can compete on a financial basis with VHF in the United States. I am delighted that the gentleman made the point that most of the educational television in the United States will be covered by UHF stations. There is no doubt about that. A failure to take a step in this direction to protect the financial interests of UHF will have a serious impact. The hearings bear this out. I think it is open to serious question whether or not the UHF television industry can survive in this Nation without taking at least this step forward. There are other things that have to be done and the FCC is working on them. But from my own knowledge, sitting on a committee that makes money available to the FCC in its annual budget, there is no doubt that this is a step forward in the best interests of the people, as the gentleman from Illinois has pointed out.

Mr. Chairman, I come from an area in western Massachusetts where two UHF television stations have been operating successfully, namely WWLP-TV, channel 22, and WHY-TV, channel 40, broadcasting from Springfield, Mass. However, these UHF stations would experience great financial difficulty if an additional VHF station were to blanket their broadcast area. For the last several years I have been the sponsor of legislation in this Congress which would have the same effect on the television broadcasting industry, to assist in the utilization of channels in the ultrahigh frequency spectrum, as this bill, H.R. 8031, before us today.

This legislation, requiring that all television sets imported or shipped in interstate commerce be equipped at time of manufacture to receive all television channels, should do much to permit the use of the ultrahigh frequency portion of the spectrum, which to date has been subject to severe competitive disadvantage.

In the early years of television, station assignments were made on VHF channels, as these frequencies were the first to be usable. Later, in 1952, the Federal Communications Commission made extensive commercial and educational television assignments in the UHF band. However, even at that time most of the television sets produced could receive only the VHF stations. As of 1961 only about 6 percent of the television receivers being produced were equipped for UHF reception.

Obviously, the UHF stations have been at a disadvantage in competing with their VHF counterparts. Understandably advertisers and the networks were reluctant to support stations which received such limited reception, and the public was reluctant to make the needed conversion when VHF television was available.

It has been argued that H.R. 8031 is unfair to the consumer as it requires him to pay more money for his television set. I think it is significant in this respect that President Kennedy supported legislation requiring the manufacture of all-channel television sets in his special message on protecting the consumer interest. On March 14 of this year, the President stated:

I strongly urge its passage as the most economical and practical method of broadening the range of programs available.

Likewise, the House Committee on Interstate and Foreign Commerce, recognizing that the consumer would at least at first be charged a higher price for his television set, stated:

Even at a slight increase in price, the investment in all-channel receivers will be well worth the cost if this is the only way in which the American people can be assured of the benefits of television service to the fullest degree.

If you observe the antenna arrays which Americans buy to receive television and remember the persons who subscribe to community antenna systems to bring television pictures into their homes, it should be clear that the American public is willing to pay for good television service.

And it is improved television service which this bill will bring. In the first place, it will permit the establishment of more television stations. At the present time 127 of the 278 television markets in the United States have only 1 television station. Use of the 70 UHF channels as well as those 12 in the VHF portion of the spectrum will give the consumer alternatives in the choice of programs. Furthermore, expansion in the number of usable channels will encourage the development of local television station interested in providing local advertising and furnishing channels for local news, local talent, and promotion of local charities.

In the second place, we should not forget that two-thirds of the channels reserved for educational broadcasting are UHF channels. The future of educational television is closely bound with the future of UHF television. I do not need to point out here the role which educational television can play in furnishing high quality education for an expanding school age population.

Mr. Chairman, as one who has for some time been concerned with the future of UHF television and who has introduced bills providing for the exemption of UHF television receiving sets from the Federal excise tax, I am especially pleased that H.R. 8031 has been favorably reported by the Interstate and Foreign Commerce Committee. This bill represents the minimum Congress can do to bring the benefits of all-channel television to the

American public. I urge the Members of the House to exercise this opportunity to take a giant step forward in improving television service in the United States by passing this bill.

Mr. MACK. I thank the gentleman. He is familiar with his problem and he and his committee in the past have indicated that they are trying to solve a very difficult problem. It is a difficult problem. They appropriated \$2 million to conduct a study in New York City to see what can be done to perfect and to improve UHF service, which all of us admit is inferior today. I thank him for his statement.

Mr. DENTON. Mr. Chairman, will the gentleman yield?

Mr. MACK. I yield to the gentleman.

Mr. DENTON. Mr. Chairman, I understand that the Federal Communications Commission has agreed that if this legislation is passed there will be a moratorium on deintermixture proceedings except in four areas; one of those in Springfield, Ill., in the gentleman's district, and another in Evansville, Ind., in my district. Does not the gentleman think that if this legislation passes, that will be an argument that Congress is favoring deintermixture in those two areas when we do not have it in the rest of the country?

Mr. MACK. Let me say first that I do not think anyone in the Congress made any stronger effort to have Springfield, Ill., included in this moratorium. I think the gentleman speaking made a strong argument in favor of stopping deintermixture everywhere and stopping it today. What the gentleman says is true, and I use again the case of the gentleman from North Dakota, who I understand is opposed to this bill, because they do not need it in his State or his district. I am for this bill even if it does not affect Springfield, Ill. I think it is in the public interest. I think deintermixture was a mistake in the first place. This is a sound approach to a very difficult problem.

Mr. DENTON. I do not think it is in the public interest to discriminate against any communities, which include the gentleman's and mine. There is one further point I want to make. The difficulty with UHF is not so much the cost, but because the signal does not carry as far as it does with VHF. I do not see how making everybody have ultrahigh frequency and very high frequency is going to solve that problem.

Mr. MACK. I hope the engineers will be able to improve it so we can get a stronger signal from UHF. It will travel only about half as far and takes in only about one-third as many people as VHF.

Mr. SPRINGER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. YOUNGER].

(Mr. YOUNGER asked and was given permission to revise and extend his remarks.)

Mr. YOUNGER. Mr. Chairman, I want to make it clear to start with that I voted to report this bill and I think it is a step in the right direction. My concern about this whole procedure arises from two points: One, I do not like legislation that comes from an agreement

between the Congress and a regulatory body as to their not doing something if we will do something. That is the way this legislation originated. I think that as a principle that is not a good approach.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. I do not know that I would agree with what the gentleman has just said, because, if the gentleman will permit, the Federal Communications Commission was doing something. What the Commission was doing was deintermixture.

Mr. YOUNGER. Correct.

Mr. HARRIS. That was a very positive step, and it was wholly unsatisfactory. I know and the gentleman knows, we on the committee know, there has been an effort made over a long period of time to take these VHF channels from commercial operation and utilize them for other purposes. That, in my judgment, is behind this whole issue. It is the basic problem.

We know that the Commission just a short time ago on the basis of a so-called experiment was going to put pay TV in every major market in the United States, 108 of them. Everybody knows that type of experiment, when a policy of that kind is imposed, when you invade a market in such a way it is not an experiment, it is a policy.

In my judgment, the Commission is moving toward deintermixture; first five instances, then eight more, and ultimately it will be a dozen or so, and finally by this effort to make them all UHF. There is the problem involved. The Commission was doing something about it and we took this position in the bill because we believe it is the best in the interest of the public.

Mr. YOUNGER. That is very true. I do not question the word of our very fine chairman. But the gentleman also gives evidence of the fact that this originated out of an agreement with the Federal Communications Commission that they would desist from their deintermixture if we would pass this legislation. That is the way the legislation originated.

Second, if you will read the testimony, about 70 percent of the testimony in the hearings is on deintermixture and only about 30 percent of it is on the question of the advisability of the manufacture of the all-channel sets. This legislation is not required.

It is said that we are going to require the manufacture. This is all permissive legislation. It is permissive to the Federal Communications Commission that they may only require. There is nothing in the bill that says that Congress is going to require that that be done.

As so ably expressed by our chairman, this is a long-range program. I doubt if anything of importance can come off it for probably 3 years.

It is not something that we are going to be faced with in a very short time.

As to that double page ad that has been referred to. Neither of the gentlemen who referred to it, our chairman or the gentleman from Illinois, said that

they tried to purchase any of these sets. I have a friend who went out there in answer to that ad on the all-channel sets who tried to buy one of them. The clerk said, "No, you do not want to buy one of these." And he did everything possible to discourage him. He finally said, "Well, if you buy one of these sets, you cannot get the UHF more than about two or three blocks from the station." I mean he was using every argument possible not to sell it. I think this ad, from what my friend said, who was out there, was more or less of a come-on ad because they had no intention of selling them. He is the only one I know of who went out there and went to the store and tried to buy one of the sets.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Illinois.

Mr. COLLIER. Even if the set were available, as advertised, would that necessarily mean that simply because there was a retail price established by one merchant, which is a practice in all types of bargain marketing, that that would be an indicator that there would be no increase in price?

Mr. YOUNGER. No, I think anyone who reads the hearings or who sat through the hearings, and I think I probably sat through as many days of the hearings as any Member on the committee, I think that it would show the cost of the set on an average will be approximately \$30 more. I do not think there is any question of that at all because the testimony of the manufacturers and of everybody testifying in the hearings was to the effect that the price increase would be more than \$30 and some less than \$30, but the average was about \$30. What I am afraid of and what I fear, and I have two amendments which I will offer in due time, is the fact that you will have to purchase an all-channel set but you will not have the broadcasting to listen to.

For instance, consider the testimony from Akron, Ohio. They have 80 percent of their sets in Akron which were equipped to receive the UHF signals and, yet, the UHF station in Akron, according to the owner, has lost approximately \$2 million simply because the three VHF stations in Cleveland cover that whole area to the point where the UHF station cannot make money and cannot get the advertising. So the fact that you have a UHF receiver, I am afraid, is not going to be the whole solution.

I have in mind one thing. We ought to develop or probably at least try to develop the same process that was developed in reference to FM radio. The AM radio voluntarily developed FM radio and they are broadcast simultaneously, and now we have a very fine development in FM radio and it has been exceptionally good. In New York we are conducting an experiment now, and if you will recall we appropriated some \$2 million something over a year ago for the FCC for this purpose. They have 100 sets which they are moving around in New York to test out the UHF reception in a canyon city. They were supposed to move the 100 sets around to about 5,000

locations. Their report will not be available until about October. But so far they have found the reception on the UHF receiver and they have their own broadcasting station, is as strong as the VHF station.

Thus far it has proven that a VH station can operate in a satisfactory manner even in the biggest canyon city we have in America.

At the proper time I shall offer an amendment providing again permissive legislation to the FCC, that they may require the V broadcasters to broadcast also over U, so the people will know they were going to have some broadcast, and it will be developed by people who know broadcasting.

Another amendment I shall offer is one to permit the networks or an individual to own as many, up to five, U stations as they or he now have V stations, in order that we can have the networks interested in development.

I think we have got to pay more attention to the developing of broadcasting so that when people have these sets there is going to be use for them. That is the problem that I think we are confronted with, and that is the problem that confronts these concerns. There is no use buying a set because of what may happen. You may make a set capable of receiving UHF and VHF. The UHF adapter is a little gadget in the receiver which can be removed. After the salesman gets the set, if you wanted a V receiver and not a U receiver he could take that portion out and he could sell it to you for \$30 less. That is the thing I am fearful of if we do not develop the broadcasting to the point where we will make it advantageous for the individual to pay more for the U set.

Mr. SPRINGER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. ANDERSON].

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, I shall take only a couple of minutes of the Committee's time this afternoon to indicate my support of this legislation. Although not a member of the committee, I had occasion to follow this legislation with a great deal of interest because in the deintermixture proceedings that were instituted by the Federal Communications Commission—I think in July of last year—Rockford, Ill., was one of the market-areas selected as a target.

I simply take this time to indicate the reasons for my support of this legislation. I appreciate that the fear has been expressed this afternoon by some that in effect we are striking a bargain with the Federal Communications Commission; we are telling them that in exchange for passing this bill please call off the deintermixture in these eight areas. I would certainly hope that by the committee report, that by the debate that we are having on this bill on the floor of the House this afternoon, we are making it perfectly clear that we are not bargaining with the Commission. Rather we are making it perfectly clear that it is the will, that it is the purpose, that it is the

intent of Congress that they shall not proceed in these eight areas with deintermixture. In that connection I want to associate myself with the additional views of the gentleman from South Carolina [Mr. HEMPHILL], and the gentleman from Alabama [Mr. ROBERTS].

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield.

Mr. HARRIS. I would like to join the gentleman in the statement he has just made. The Federal Communications Commission can do only what the Congress authorizes it to do; in other words, it acts for the Congress. The gentleman has just stated so well what we are doing here is to establish congressional policy. We are substituting congressional policy for Commission policy, and I think that is pretty important.

Mr. ANDERSON of Illinois. As long ago as September 19, 1961, I introduced in the House of Representatives a bill, H.R. 9291, which contained certain limitations on the authority of the Federal Communications Commission to delete previously assigned very high frequency television channels. This bill, if adopted, would have the effect of prohibiting any further action by the FCC with respect to the proposed deintermixture of the eight television market areas in the country, one of which was Rockford, Ill. I must confess to the members of the committee that I would have preferred to see the adoption of the absolute bar by statute to the further pursuit of the deintermixture by the Federal Communications Commission. However, as I have already indicated, I am satisfied from a careful study of the bill which we are debating today and the committee report which accompanied that bill that the practical effect of this legislation will be the same. At the risk of reiterating what I have already tried to make abundantly clear, I am supporting this bill because I feel it constitutes notification to the FCC that the Congress is opposed to the deintermixture proceedings which were begun in July of 1961. I have received literally hundreds if not thousands of letters from people in my congressional district reflecting their extreme distaste for and opposition to the proposal to eliminate the VHF station in Rockford, Ill. I am satisfied that the passage of this legislation represents a genuine victory under our democratic process for those who oppose the deintermixture policy of the Commission.

I appreciate that honest and sincere men have on the floor of the House this afternoon expressed their reservations about the constitutional implications of this bill. However, I believe that the vast majority of citizens recognize that Federal regulation of the assignment and allocation of television channels and regulation of the television spectrum in general, is a proper matter, under the Constitution, for the Federal Government as it involves so completely the subject of interstate commerce. I am further informed that the television industry as a whole has no objection to this legislation. Indeed, viewed in its proper perspective this act of Congress is not a regulation of a manufacturing

industry but rather an act dealing with the utilization and development of that portion of the Nation's airwaves which are devoted to the transmission of television signals. Therefore, I think that the Congress is within its constitutional power in acting. Further, I believe that our action will be in response to the wishes of the American television public.

I can recall that it was only a few weeks ago that some columnist and others were issuing pious protestations against the dangers of a congressional dictatorship. This discussion arose in connection with the attempt by the House Armed Services Committee to issue a mandate to the executive branch with respect to the expenditure of funds for the RS-70 weapons system. I have taken exception to these fears and openly expressed the thought that the dangers lie in an entirely different direction. There is entirely too much tendency on the part of the Congress to delegate authority to the executive branch and its myriad administrative agencies. It is my firm belief that by this legislation we are enunciating clear and firm congressional policy against deintermixture, and we are serving notice on the Federal Communications Commission that we expect congressional policy to be observed. Particularly, within the context of the times in which we are living, I think that this is a healthy thing. I hope that in the future Congress will continue to make it clear that its policies when expressed in the form of law are intended to prevail over policies which issue from an executive or administrative agency.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. THOMPSON].

Mr. THOMPSON of Wisconsin. Mr. Chairman, when I purchased the television sets I have in my home, they were all-channel receiver sets, because Madison, Wis., was a completely intermixed market. We had two UHF stations and one VHF station. It was quite a shock to me to find out that some people could receive only VHF on their receiver sets and others could receive only UHF on their receiver sets. But after I arrived in Congress I discovered there was a tremendous pressure on the Federal Communications Commission to deintermix some markets or to eliminate from those markets the VHF signal. The district I represent has no television station in it, with one exception. Most of the signals that they receive come out of Madison, Wis., which is in another congressional district. The only regular and good signal they receive is the VHF signal that comes out of the station in Madison, Wis.

When I learned there was an effort on foot to deintermix the Madison market, which is one of the targets of the FCC, I introduced a resolution in the Congress to require the FCC to desist in further activities until they had made a report to the Congress on their experiments with UHF in the city of New York. Other Members of this body introduced resolutions which would have denied to the FCC the authority to deintermix. These bills, together with the bill for

all-channel receivers, were referred to the very fine Committee on Interstate and Foreign Commerce that held simultaneous hearings on this entire subject of all-channel receivers and deintermixture.

I want to say the impression I got from attending those hearings and participating in them is that the Commission is trying desperately to preserve in this country a great natural resource. That is, the 70 bands on the spectrum that are assigned to the UHF transmission signal. Try as they may, try as the industry may, they have been unable to induce people to go into the transmission of the UHF signal. But this body in spite of that just the other day voted a fund of \$25 million to encourage educational television, most of which will be on the UHF band.

On the one hand we are giving money to encourage its use, and here today when we have a bill which is attempting to make that band useful, we have people who are opposing it on the ground it might cost a little more money to purchase sets that are used in their homes.

My impression of that is that the people want a television receiver that will receive both UHF and VHF. I frequently hear an expression on the part of people who feel they cannot get the UHF signal or they cannot get the VHF signal, and they object to paying the \$30 additional because it requires a little box to be placed on top of their present television set which the lady of the house has to move, dust, and take care of; and when it is added to a set it is not as effective as it probably should be. What we should do is try to eliminate the waste that is occurring when these 70 bands of the spectrum are not being used. We should encourage them.

There was no bargain or agreement made with any agency of this Government. It was a decision made in the Committee on Interstate and Foreign Commerce that the best solution to reach the desired objective of complete intermixture was the passage of this very bill requiring all-channel receivers on all sets made hereafter. It was a decision made in the Congress, and I certainly hope that the members of this committee and the House will approve this legislation.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. COLLIER. Mr. Chairman, will the gentleman yield for just one brief comment?

Mr. CRAMER. I yield.

Mr. COLLIER. With reference to the statement that the gentleman from Wisconsin made, I think it is not so much a matter of the increased cost to many of us, because the principle involved would be the same whether the set was increased 30 cents or \$30.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent to proceed out of order and that my remarks follow the consideration of this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HARRIS. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia [Mr. BAILEY].

(Mr. BAILEY asked and was given permission to revise and extend his remarks.)

Mr. BAILEY. Mr. Chairman, I have requested this time in order to clarify with the chairman of the Committee on Interstate and Foreign Commerce a question which appears on page 3 of the report, and to request his comment on educational television. That statement is as follows:

At present 92 VHF and 189 UHF channels are reserved for educational broadcasting.

Mr. Chairman, it is my thought that when this legislation was considered and the allotment was made, that the number of educational television channels were considerably in excess of what are reported here. For instance, in the northern part of my State I led the fight to have channel 5 allotted to six State educational institutions. I find now that because they did not proceed to build the station within the year after the time was allotted, that that time has been allotted now to a commercial group and is no longer available, except about 10 or 15 percent, and perhaps, some days, as much as 20 percent is allotted to educational purposes.

Mr. Chairman, will this legislation permit any further invasion of those stations that are reserved for educational purposes?

Mr. HARRIS. If the gentleman will yield, on the contrary, I would say to the gentleman from West Virginia, I think it will make possible greater utilization of the assignments for educational purposes. That is one of the objectives of this legislation which was mentioned a moment ago, I think by the gentleman from Illinois [Mr. MACK]. Now, there has been a great demand, I will say to the gentleman from West Virginia, over a period of time to the effect that if these VHF channels assigned for educational television purposes were not going to be utilized, they should be reassigned for commercial purposes.

Mr. BAILEY. Who, might I inquire, has the authority to do that? Who, without notice, has authority to do that, and to take away channel 5 from the educational institutions of West Virginia and give it to a commercial group?

Mr. HARRIS. The Federal Communications Commission has the authority. As a matter of fact, the Congress has directed the FCC to make these determinations. After the rulemaking procedure under the Administrative Procedures Act, the Federal Communications Commission would make such judgment.

Mr. BAILEY. Is it not true, then, that there is a possibility these reservations for educational purposes with that authority given to the Commission that in a matter of a few years there will not be any reservation for education, and that all of them will be granted for commercial purposes?

Mr. HARRIS. No; not at all. We have just passed a bill which has been signed by the President today, I will ad-

vise the Members of the House, providing for an educational television program. In my judgment that legislation will enhance the program a great deal.

Mr. BAILEY. I thank the gentleman for that information.

Mr. HARRIS. Mr. Chairman, I yield myself 3 minutes in order to answer a question of the gentleman from California [Mr. HAGEN] to whom I yield at this time.

Mr. HAGEN of California. Mr. Chairman, as I understand this legislation it creates a moratorium in respect to certain deintermixture proceedings which are current; and it divides those into two categories, eight in one category, and four in another. The Commission stipulates, and it is committee policy, that this moratorium definitely applies to the eight, but with respect to the four there appears to be some doubt. And I refer to the language on page 7 of the committee report which states:

There are four other deintermixture proceedings referred to in detail in the appendix to the Commission's letter in the case of which the Commission may find it necessary to go forward with such proceedings and to reach a decision in these cases which the Commission determines to be in the public interest under the particular facts existing in the proceedings.

Now I emphasize the following language:

In deciding these cases, however, the committee expects the Commission to give proper weight to the congressional policies set forth in this report. Furthermore, the committee notes the Commission's statement that in deciding these particular cases it will give great weight to any loss of service to the public which would result from the abandonment of VHF channels allocated to the particular communities involved in these cases.

May I have some further comment from the Chairman with respect to this particular language?

Mr. HARRIS. I will say to the gentleman that the committee did not feel that Congress had the authority to deal with the four stations to which the gentleman referred, because all four of those cases were in litigation in respect of deintermixture. They were cases on which the Federal Communications Commission had passed. They were appealed to the courts. As I said earlier today, those cases, being in litigation, the Congress did not feel that we should invade or could invade the prerogatives of the judiciary. What we did say had to do with establishing congressional policy on deintermixture. When the Commission makes the decision in these cases, the Commission is expected to follow the principles of the moratorium on deintermixture as stated in the committee report if it was found to be in the public interest. As an example, there is Fresno, Calif., where deintermixture has already been consummated, as I understand. They are finding that the UHF signal there is such that the people are apparently satisfied with it. It is operating in the public interest and therefore it should be assumed—I have no way of making any commitment—it would have to be assumed that in a matter of that kind it would be determined by the Com-

mission to be in the public interest to continue the situation as is. In other words, where the Commission can make a determination that it is in the public interest, it will follow the policy of the moratorium.

Mr. HAGEN of California. I thank the gentleman.

Mr. HARRIS. Mr. Chairman, I yield 3 minutes to the gentleman from Montana [Mr. OLSEN].

(Mr. OLSEN asked and was given permission to revise and extend his remarks.)

Mr. OLSEN. Mr. Chairman, the objection to this particular legislation from my part of the country, where we are rather sparsely settled, is that while it does take care of a problem for the urban areas the problems of the sparsely settled areas are not helped at all. That is hardly a really good objection to giving a remedy to the urban areas, but we are, in effect, being charged—we who buy television sets out in Montana—more for a television set, and yet the problems of the sparsely settled areas are not attacked by this bill.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. OLSEN. I yield to the gentleman from Arkansas.

Mr. HARRIS. Let me advise the gentleman that the effort has been made to move all commercials to UHF. If we were to permit ourselves to be in a position where all commercial television would be UHF, the gentleman's area would be really, seriously in trouble. From that standpoint I would urge the gentleman to think a long time before he opposes legislation of this kind, because whether the gentleman knows it or not this is an attempt to help the gentleman's area.

Mr. OLSEN. I thank you, Mr. Chairman. Let me point out two other present problems that are present in my area. There are local stations in Montana which are rebroadcast by translators, but the translators which rebroadcast to remote areas the signal of the urban areas are limited to 100 watts of power. In Canada, translators are permitted 275 watts. One hundred watts are not sufficient to get television out to some of our more remote rural areas and they are being denied any television at all.

Also, cable television in Montana urban areas is competitive with free TV in that cable TV will bring programs in from the larger cities like Salt Lake and Spokane, and then the larger advertisers of the country will not pay to advertise on the small stations in Montana because they get into our public free.

We need assistance and protection for free television in Montana, so that their programs are not duplicated by cable-pay television in the urban areas. This is necessary so that national advertisers on network programs must pay local free television in Montana for area coverage. I want to encourage every kind of enterprise in television. We need help from the Congress and the FCC to that end in Montana. Under this bill, we are not relieved or assisted, we will be paying for additional channels on our re-

ceivers yet those channels that are already on our sets are not properly regulated for us to receive all the television service we really need.

Mr. HARRIS. Mr. Chairman, I yield myself 2 minutes to answer a question of the gentleman from Illinois.

Mr. PUCINSKI. I am grateful to the gentleman for his yielding to me.

Can the chairman tell me if UHF reception in the present state of the art is as good as VHF reception?

Mr. HARRIS. I would say it is; within the limits of the reception of those who are capable of perfecting it, it gives as good reception. Insofar as the coverage of the area to be covered, no, it is not.

Mr. PUCINSKI. Because of my profoundly high regard for the chairman and his committee, I would be inclined to support this legislation, but this question is disturbing me. If we can tell the manufacturers to build UHF receivers into these new sets, will we then be moving in the direction of ultimately putting the country on UHF television and letting the Government, that now uses a lot of VHF, continue to use those?

Mr. HARRIS. On the contrary, I would say that we feel that this action is just the reverse. If we do not take some action like this we are ultimately going to find the country with nothing but UHF.

Mr. PUCINSKI. On the other hand, if we do not pass this legislation, or if we do not do this in forcing installation of UHF receivers in sets, will we then be able to start probing for an answer to this whole problem in a more efficient use of VHF facilities now in service? I am afraid the Government has a lot of VHF channels. There has not been a word said today about the Government using these channels. We are in effect telling the American people to secure their television entertainment on UHF television, when we have not seen whether there is really efficient use of VHF television at this stage of the art.

Mr. HARRIS. I will say to the gentleman, I have been involved in that subject now for several years, at least 5, or 6, or 7 years. We have held hearings and we have tried our best to do something about it. But, unfortunately, the Government has certain assignments of certain channels of the spectrum that have been assigned to them that you cannot get from them. An effort was made about 3 years ago to take these 12 or 13 away from the commercial operation and it created a terrible condition in the country. I would say to the gentleman, I have done all I can do and what the gentleman has suggested is something that our committee has pursued for the last several years. We even tried to bring about the establishment of a superagency that would have authority to reassign these channels, but I could get nowhere with that because of military domination.

Mrs. RILEY. Mr. Chairman, I rise in support of the legislation.

I am happy that we are able to preserve the fine services of channel 10 by this compromise.

We in South Carolina have worked long and hard to preserve this valuable

resource which we call our VHF channel in Columbia which renders great service not only in Columbia and elsewhere in my district, but, also, in the districts of the other Congressmen from South Carolina.

I am happy that the Interstate Commerce Committee has effectively worked out a compromise to give the people the continued services of channel 10.

I appreciate the courtesies shown me by the various members of the committee and the chairman when I asked them to give us help in saving channel 10.

Mr. MONAGAN. Mr. Speaker, I favor the passage of this legislation. It will lead to a more effective use of the Connecticut television potential.

From the point of view of my district, however, it is extremely important to note in connection with this bill the assurances of the Chairman of the Federal Communications Commission, Mr. Minow, that the previously proposed deintermixture would be indefinitely delayed. This means that the threatened removal of Connecticut's channel 3 will not take place and the television service of this fine station, which constitutes the sole television service of many people in my district, will be continued.

I am sure that Governor Dempsey, of Connecticut, who took a leading part in the effort to save channel 3, and all of us who had any part in this result, will feel highly gratified that the high level of Connecticut television service will be maintained.

I have previously stated my position to the Federal Communications Commission, when I opposed the deintermixture of channel 3 on the ground that such action would adversely affect about 250,000 residents of Connecticut. Approximately 45,000 residents of the Fifth Congressional District would have been faced with a complete television blackout if this experiment with UHF had been approved. While I believe in the extension and enlargement of UHF television channel use where practical, it has been established that UHF is not effective in sparsely populated areas and in areas of rough, hilly, and wooded terrain such as we have in many parts of Connecticut.

It was my privilege to have testified at the hearings of the Committee on Interstate and Foreign Commerce in support of all-channel television receiver legislation and in opposition to the proposed elimination of VHF channel 3 from Hartford, Conn. I believe that with the adoption of this legislation we can be confident of improved television reception through greater development of UHF where practical.

Most important, however, to residents of my district, is the assurance provided by the Chairman of the FCC that proceedings for elimination of Connecticut's VHF channel 3 will be discontinued.

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303 of the Communications Act of 1934 (47

U.S.C. 303) is amended by inserting at the end thereof the following:

"(s) Have authority, whenever the objectives of this Act so require, to prescribe minimum performance capabilities for apparatus designed to receive television pictures broadcast simultaneously with sound, when such apparatus is traded or shipped in interstate commerce, or is imported from any foreign country into the United States, for sale or resale to the public."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment on page 1, beginning with line 6, strike out all down through line 4 on page 2 and insert in lieu thereof the following:

"(s) Have authority to require that apparatus designed to receive television pictures broadcast simultaneously with sound be capable of receiving all frequencies allocated by the Commission to television broadcasting when such apparatus is shipped in interstate commerce, or is imported from any foreign country in the United States, for sale or resale to the public."

Mr. YOUNGER. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNGER: Page 2, after line 9, insert the following:

"Sec. 2. Section 307 of the Communications Act of 1934 (47 U.S.C. 307) is amended by adding at the end thereof the following:

"(f) The Commission may require any licensee who is authorized to engage in television broadcasting on a very high frequency channel (between 54 and 216 megacycles) to also engage in television broadcasting on an ultra high frequency channel (between 470 and 890 megacycles) after the date on which rules prescribed under section 330 of this Act become effective."

Redesignate the following section accordingly.

(Mr. YOUNGER asked and was given permission to revise and extend his remarks.)

Mr. YOUNGER. Mr. Chairman, before I explain what this amendment does, I would like to have the attention of the chairman, if I may, and refer to a paragraph at the end of page 4. The addition there refers to this very same question that I have raised. It says:

Another method of promoting the UHF operation was suggested to the committee. It will require each commercial VHF station to operate a parallel UHF station in the same manner. The committee is convinced that such proposals would not provide the public with a significant amount.

And so forth.

As I recall, this was not discussed by the committee. I wonder if it would not be well to clear up the record on that at this point.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. Yes, I believe the gentleman is correct. This and any other provision should be cleared up as much as possible, if it needs any clarification. I would say to the gentleman, and the gentleman has talked to me about this and, therefore, I was aware of his interest, if he will read the hearings on the proposed legislation at pages 536 and 537, there is included a letter

from the Electronic Industries Association dated March 23, 1962, in which this question was raised.

The electronics industry proposed as an alternative to the problem that the broadcasting industry be required to broadcast over both a VHF assignment and a UHF assignment. The committee report paid no attention to this language because of the proposal that was made to the committee as an alternative. The committee did not consider or even discuss seriously, if indeed at all, the proposal of the electronics industry. Therefore the footnote here was included in the report merely to show that there was a discussion and the committee did not comply and go along with the suggestion of the electronics industry.

Mr. YOUNGER. The committee did not discuss it, or it was not discussed.

Mr. HARRIS. The committee moved to other phases. As a matter of fact they did not act on it even to discuss it in executive session.

Mr. YOUNGER. I did not think about it until afterwards, but as I pointed out before, I think our problem is to get the broadcasting started so that the all-channel receiver will be of value. I think the Members are clear as to the amendments intent and what is involved. There is nothing new in this, because the FCC did have this same idea as one part of the deintermixture docket which they were processing.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield.

Mr. GROSS. Then the stations would have to broadcast on both VHF and UHF channels.

Mr. YOUNGER. Just as they do now with AM and FM radio. It can be received on the same receiver with proper additions.

Mr. GROSS. It seems to me there is a good deal of difference.

Mr. YOUNGER. Part of the difficulty arises from the networks taking so much of the time of the stations that they do not have the necessary time to broadcast local and public interest affairs. This would give them a chance at another station to do that. And their experience and facilities would enable them to do it at less cost than to establish a new broadcasting station.

Mr. COLLIER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, for whatever good it might do at this point I would like to summarize the opposition to this legislation, because it has been scant. First of all, let us get the issue in its proper perspective. What this legislation does is to make available by compulsion that which is already available to the television viewers of this country on a voluntary basis. In the process of doing this we force upon millions of American television viewers the necessity of buying equipment which they neither need nor necessarily want.

It has been stated in the course of the debate here today that everyone is for the bill, including the television manufacturers. I repeat that if the television manufacturers favor this bill then there is no need for the legislation. In

recent years here in the Congress we have tried to amend and even repeal the law of supply and demand as we are doing today. The facility or apparatus that is necessary to those who cannot presently receive UHF may be purchased by the person who demands or who wants it.

Instead of leaving it on that basis, instead of accepting the fact that the television manufacturers apparently want this legislation and, therefore, would produce the sets based upon the need of the country, we say, "no; we are going to require by law the manufacture of a facility which everyone must buy, whether they want it or whether they do not." I cannot for the life of me figure out why under existing circumstances we need this legislation. It sets a very bad precedent. We are placing in the hands of the Congress through this legislation the right to dictate to any manufacturer what he shall manufacture, and specifications that go beyond the normal standards or requirements of the law in this field. And, secondly, it opens the door to an invasion in this same field in many other areas.

I would hope that the House in its wisdom will look at this bill in its perspective, not as a means of combating other legislation or perhaps an executive order, but, rather, under the principle that is involved in this legislation, and defeat the bill.

Mr. ROOSEVELT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I should like to ask a question of the chairman, if he will allow me.

In your radio set you could have an AM and FM band, and a fairly good sized one. But in the little transistor set, it is my understanding you can have only one kind.

Suppose in a television set it becomes opportune to have a very small one which could only have conveniently for good reception one of these bands, it is not the intention of the committee, is it, to instruct the FCC that it must demand that this set have both? Have they not at least the authority, if they want to, to give them an exemption in order that they might be so manufactured?

Mr. HARRIS. The Federal Communications Act has that authority. Under this proposal here it does not increase, restrict, or interfere with the development of the electronics industry. As a matter of fact, they have some rather small television sets under way now.

Mr. ROOSEVELT. I happen to own one. I do not think it is possible to convert it to both and I do not want to lose it by action of this committee.

Mr. HARRIS. You may be surprised to know what you can do with it. In the future you will find as a result of scientific research it is possible to extend many of them, regardless of how small they might be, and that they may be converted.

Mr. ROOSEVELT. In the meantime, it is not the mandate in this bill that the Commission must require that every set have both kinds?

Mr. HARRIS. Not at all. That is done by rulemaking procedures of the Commission which develop all these facts as to what it should do in order that there may be brought about a utilization of these resources.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Iowa.

Mr. GROSS. If this bill has any meaning at all, it is mandatory that they did contemplate exactly what the gentleman suggests, it seems to me. If not, why the need for this legislation?

Mr. ROOSEVELT. I am not on the committee, but my understanding is it is not mandatory and it does go through a regular procedure under the Procedures Act which would only allow it in certain circumstances where it was found necessary to do so.

Mr. GROSS. Yes, but the purpose of this bill is to put the UHF into operation, is it not?

Mr. ROOSEVELT. To a limited degree that is all right, if it does not prohibit certain types of sets where the public may have little opportunity or any need to use both.

Mr. GROSS. In order to do that, it would be incumbent upon the FCC to order the dual operation, would it not?

Mr. ROOSEVELT. That is not my understanding.

Mr. HARRIS. Primarily, what the gentleman from Iowa said is correct. In the rulemaking procedure, as an example, the Federal Communications Commission determines that closed-circuit television as a matter of fact should not come under this procedure, but of course under the rulemaking procedure that will be done. But primarily it is to require, if the Commission finds it in the public interest, that generally television receiving sets in the homes be able to get both UHF and VHF.

Mr. ROOSEVELT. In other words, what you are setting down is a general rule to which anybody who has reason to want an exception may apply for the exception.

Mr. HARRIS. What we are doing is setting up a Congressional policy for the Commission to establish a general rule.

Mr. ROOSEVELT. I thank the gentleman.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am one of those who would like to see ultra high frequency stations in operation, but I cannot go along with this business of compelling people, the consumers of this country, the television audience, whether they can get any benefit out of it or not, to put up \$30 or more in order to put UHF in operation.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. ROGERS of Texas. They do not have to buy the set with this UHF on it, and they do not have to buy the converter. Let me say this.

Mr. GROSS. Just a moment. What exempts them from buying if the Commission issues an order? Let us assume that the Commission issues an order, under the provisions of this bill, saying that every set manufactured after a certain date and shipped in interstate commerce must be equipped for dual reception. What is the exemption?

Mr. ROGERS of Texas. It is not an exemption at all except those for sale or resale to be shipped in interstate commerce. You can buy any kind of a set you want and carry it any place you want in the United States. But, let me say this.

Mr. GROSS. Wait a minute now. You mean I can buy a set in Washington, D.C., if this law goes into effect, take it out to Waterloo, Iowa, and sell it there?

Mr. ROGERS of Texas. No, no, you cannot sell it out there. You can take it out there and put it in your home and use it; ship it in either a car or bus or anything else.

Mr. GROSS. That is lovely. That does not mean anything to me.

Mr. ROGERS of Texas. Let me say this further in regard to the VHF. Once this trend is started to provide this additional service the people who have VHF and do not want UHF will be able to buy VHF sets at a much lower price than they are paying now. So, it would be a gain.

Mr. GROSS. They will be able to buy sets such as they now have in the State in which they live if there happens to be a television manufacturing plant there. That is what makes this bill just as discriminatory as it can be. For the State without a TV manufacturing plant a purchaser would be compelled to spend at least \$30 extra for a dual receiver.

Mr. ROGERS of Texas. Not necessarily.

Mr. GROSS. Oh, yes.

Mr. ROGERS of Texas. They can buy the set in Chicago and take it to Texas or California or Iowa if they want to, and use it.

Mr. GROSS. Yes, if for instance they want to drive from Amarillo, Tex., to Chicago and buy a set.

Mr. ROGERS of Texas. Oh, they would not have to do that at all. They could telephone the man and make a trade in Chicago and the man could ship it.

Mr. GROSS. But it has to be dually equipped if he ships it interstate.

Mr. ROGERS of Texas. Unless it is shipped for sale or resale. There is not anything unreasonable about it, and I know the gentleman from Iowa is not unreasonable.

Mr. GROSS. Wait a minute. I am not a lawyer, Philadelphia or otherwise, so I cannot very well argue with the gentleman in legalistic terms. But let me read this provision in the bill:

"(s) Have authority to require that apparatus designed to receive television pictures broadcast simultaneously with sound be capable of receiving all frequencies allocated by the Commission to television broadcasting when such apparatus is shipped in interstate commerce, or is imported from

any foreign country into the United States, for sale or resale to the public."

That, to me, is clear.

Mr. ROGERS of Texas. Well, I am glad it is clear, because you can go to Baltimore and bring it back here in the back of your car and you would not be in violation of the law.

Mr. GROSS. Could a purchaser in Waterloo, Iowa, go to an appliance store, buy a television set and have it shipped without it being dually equipped at a cost of \$30 or more?

Mr. ROGERS of Texas. If the set was made in this State?

Mr. GROSS. Yes.

Mr. ROGERS of Texas. No, no, no. It does not have to be manufactured here.

Mr. GROSS. Yes, according to the language in your bill.

Mr. ROGERS of Texas. Not unless it were shipped after the passage of this bill.

Mr. GROSS. Well, all right, we are assuming this bill will be passed. What else are we talking about?

Mr. ROGERS of Texas. Let me say this to the gentleman: If your television set wears out, your present VHF—

Mr. GROSS. Wait a minute. Just do not take all of my time. The gentleman has not convinced me of a blessed thing yet.

Mr. ROGERS of Texas. I thought the gentleman from Iowa was asking a question, and I was trying to help him.

Mr. GROSS. My friend from Texas volunteered his services.

Mr. ROGERS of Texas. Yes, I did, and I will say to the gentleman that I did because I know the gentleman wants to go down in history as helping the individual in this country.

Mr. GROSS. Yes, I would like to help some of the individuals in this country instead of helping individuals all over the world. I would prefer that, if that is what the gentleman means.

Mr. ROGERS of Texas. I thank the gentleman, and I agree with the gentleman on that. The VHF set would come down in price.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Chairman, as the gentleman from Illinois [Mr. COLLIER] said, this bill simply takes it out of the hides of the people who may never be able to get UHF reception in the State of Iowa, in the State of Texas, in the State of Montana, the State of Wyoming, and elsewhere.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes.

Mr. ROGERS of Texas. One of the reasons that there are no UHF stations is because there are no UHF receivers. This is going to open up an entirely new vista of the business.

Mr. GROSS. Sure. You could build a UHF station in Amarillo, Tex., and not be able to hear it more than 15 miles from the center of town yet every purchaser of a new television set in Texas could have \$30 added to the cost of his set.

Mr. ROGERS of Texas. Yes; but there is a great number of people who live around the center of town to whom it would render a great service.

Mr. GROSS. How about the fellow who is forced to spend an additional \$30 for a television set, which fellow is located 30 miles out of town, and cannot see or hear the station's programs?

Mr. ROGERS of Texas. He has not been made to spend \$30. He does not have to buy the set.

Mr. GROSS. Oh, yes; if that is the only TV station. Let me ask the gentleman from Texas a question: why did not the gentleman and his committee come in with a bill some years ago when frequency modulation radio stations were being established all over the country compelling people to buy frequency modulation radio sets or converters?

Mr. ROGERS of Texas. If the gentleman will yield further, I do not think the gentleman from Texas was a Member of Congress at that time.

Mr. GROSS. There would have been many more radio stations in the country if that had been done. The gentleman could have stopped some of this sunrise to sunset radio station operation which always throws small radio station operations and their audiences out of gear, especially with the changeover to daylight saving time, and all of this funny business about time.

Mr. ROGERS of Texas. If the gentleman will yield further, we are working on that.

Mr. GROSS. Just as an aside, there are a lot of people who are never going to get that hour back which they lost last Sunday. They are going to be dead by next fall when the time goes back to normal.

Mr. ROGERS of Texas. If the gentleman will yield further, let me say this to the gentleman: I overslept this morning, and I am against it.

Mr. GROSS. So am I. But why did not the gentleman and his committee come in here with a bill to provide for frequency modulation radio sets?

Mr. ROGERS of Texas. Would the gentleman yield to the chairman of the Committee on Interstate and Foreign Commerce, the gentleman from Arkansas [Mr. HARRIS], in order to have him answer that question?

Mr. GROSS. Sure. I would like to have him answer that question.

Mr. Chairman, I yield back the balance of my time since it appears I am not likely to get an answer.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and amendments thereto conclude in 5 minutes, 2 minutes to be allotted to the gentleman from Illinois [Mr. MACK] and 3 minutes to myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MACK] for 2 minutes.

[Mr. MACK addressed the Committee. His remarks will appear hereafter in the Appendix.]

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I hope the Members will not lose sight of the fact that there is an amendment before us. In my judgment it is far-reaching and I hope the Members will carefully consider what would be done if this amendment is adopted. Very briefly, let me tell you what it would do.

Under the present procedure any one company or organization may own 5 VHF televisions and operate them and 2 UHF stations.

What the gentleman would do here would be to provide that the Commission may require that anyone who has a VHF station must also broadcast over a UHF station. Everyone knows that in order to obtain a license to operate a station you have to make an application and go through the procedure for the Commission to determine what is in the public interest. But here you would be turning over to the owner of this station this authority, make him take it. I cannot imagine such a procedure as that. Certainly in the same community where you have UHF and VHF, with the same company broadcasting; you might as well say turn over all of the radio stations and all of the newspapers and all of the television, UHF and VHF, to one man. That is how ridiculous this would be.

I do not think the membership of this House will consider favorably an amendment of this kind.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. YOUNGER] to the committee amendment.

The amendment to the committee amendment was rejected.

Mr. YOUNGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNGER: Page 2, strike out line 9 and insert the following: "the public."

"(t) Have authority to make rules concerning the multiple ownership of broadcasting stations, including rules to authorize any person who has an authorization or authorizations to operate one or more commercial television broadcast stations on very high frequency channels (between 54 and 216 megacycles) to receive an authorization or authorizations to operate an equal or greater number of commercial television broadcast stations on ultrahigh frequency channels (between 470 and 890 megacycles); except that no such rule shall permit any person to receive an authorization to operate more than one commercial television broadcast station serving the same area."

(Mr. YOUNGER asked and was given permission to revise and extend his remarks.)

Mr. YOUNGER. Mr. Chairman, this amendment has to do with networks,

as we know them. It will give the Federal Communications Commission an opportunity to give to the networks additional U stations. They are limited now to five V's and two U's. This would give them an opportunity to own and operate additional U stations but not in the same market. If we are going to develop the U stations and the U broadcasting, I think this is at least a step in the right direction. It was drawn with the approval of the FCC legal division as to its legal phases.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. I wonder if the gentleman has left the wrong impression. I know he did not intend to but I seem to get it, anyway. The gentleman did not mean to imply that the FCC would approve this amendment?

Mr. YOUNGER. No.

Mr. HARRIS. Let us say the FCC was called on for technical assistance and they responded to that request.

Mr. YOUNGER. That is correct.

Mr. HARRIS. And they did assist the gentleman in preparing the amendment.

Mr. YOUNGER. That is correct.

Mr. HARRIS. But in no way indicated they would approve.

Mr. YOUNGER. No, I had no intention of conveying the thought the FCC themselves would approve it because they have not had a meeting and they would not be able to approve it, anyway, but it was drawn and submitted to their legal staff.

Mr. SPRINGER. Mr. Chairman, I move to strike out the last word.

May I ask the gentleman from California a question? Will he expand on this a little further? I am not sure I understand the gentleman's amendment and I would like to know what he has in mind.

Mr. YOUNGER. In answer to the gentleman from Illinois, as the rules now exist as made by the FCC rulemaking, any person—and we refer today to the networks because that is what they are—may own five V stations and two U stations. So far as I know, they do not own any U stations, although under the rule they could own seven stations. This would give the FCC the right to permit a person to own additional U stations by the rulemaking process, but no two stations could be in the same market. For instance, one of the complaints of ABC was that they wanted to get into a certain market which they are now prohibited from getting into. This would give them a chance to get stations in other markets. It also opens up other stations for the other networks. If we are going to develop the U stations, I think it has to be in connection with network operation because the people now are trained to listen to network programs.

Mr. SPRINGER. All the gentleman's amendment does is make it permissive for the FCC under rulemaking to be able to grant five U stations instead of two?

Mr. YOUNGER. Yes, or more than that if they wanted to.

Mr. SPRINGER. More than five?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. I am very much interested in the gentleman's amendment. As I indicated to the gentleman heretofore, I thought there was some merit to it. But when you analyze it, does it change the present law at all? Is it not true that the Federal Communications Commission today has authority under rulemaking procedures to determine the number of stations any one organization or company can have?

Mr. YOUNGER. That is true. That is my understanding, yes.

Mr. HARRIS. Then this does not change the authority of the Commission, but what it would do would be to establish congressional policy which would be a directive, you might say, to the Federal Communications Commission to permit any one company to operate as many as 10 stations instead of 7. Is not that true?

Mr. YOUNGER. That is correct.

Mr. HARRIS. As to the possibility of more stations, I do not know, but I told the gentleman earlier I personally can see how it might not be objectionable to me but on a policy statement I would have some question about it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRIS. Mr. Chairman, I rise in opposition to the amendment. To continue what I was saying, there are two things that are important here and which I would want the membership of the House to take into consideration in passing judgment on this.

No. 1, there is a lot of opposition throughout the country against concentrating possibly too much power in one group or one company either network or any other organization which are not networks. Several networks and Westinghouse have their full quota and there are several others who have their quotas. That is the question the membership will have to consider. Another thing, I think we should be very careful about disturbing an affiliate of a network in a community. I do not think there would be any question but what some of the multi-station operators who have affiliates might see a very lucrative market somewhere and go in and establish their own station instead of an affiliate station and the affiliate station would be put out of business. I can name you some communities in the country now that have suffered from that very policy. It has caused some suffering and a lot of pain among the people in those particular areas. I think that has to be considered.

Mr. YOUNGER. That would have to be done by rulemaking and the FCC would do it under the policy of the public interest.

Mr. HARRIS. Yes, except there is one thing which worries me a great deal. The law now gives the Commission that authority. If we adopt an amendment like this, even though it continues the authority, it is a congressional direction and it is congressional policy which in my judgment the Commission would have to follow.